

BEFORE THE

IN RE THE MATTER OF:)
)
PUBLIC HEARING:)
)
FALCON FOAM PROPOSED)
TITLE V PERMIT)
)
_____)

LOCATION: BANNEKER SPECIAL EDUCATION CENTER
14024 SOUTH SAN PEDRO STREET
LOS ANGELES, CALIFORNIA

DATE: SATURDAY, NOVEMBER 6, 2004, 10:00 P.M.

REPORTER: KRISTIN RIVERA, CSR
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1 MR. NAZEMI: GOOD MORNING, EVERYBODY. WHILE
2 THEY'RE STILL SETTING UP, I'LL TRY TO SPEAK LOUD SO
3 EVERYBODY CAN HEAR ME. MY NAME IS MOHSEN NAZEMI. I'M
4 THE ASSISTANT DEPUTY EXECUTIVE WITH SOUTH COAST AIR
5 QUALITY MANAGEMENT DISTRICT. AND FOR THOSE OF YOU WHO
6 DON'T KNOW, WE'RE THE LOCAL AIR POLLUTION CONTROL AGENCY
7 FOR FOUR COUNTIES; ALL OF ORANGE AND THEN THE NON-DESERT
8 OR THE URBAN AREAS OF LOS ANGELES, SAN BERNARDINO, AND
9 RIVERSIDE COUNTIES.

10 THERE'S ABOUT 16 MILLION PEOPLE LIVING IN THIS
11 JURISDICTION, AND OUR AGENCY IS BASICALLY RESPONSIBLE FOR
12 CONTROLLING EMISSIONS FROM WHAT WE CALL STATIONARY
13 SOURCES. AND THOSE ARE TYPICALLY THE TYPE OF FACILITIES
14 THAT RANGE ANYWHERE FROM A SMALL DRY-CLEANER OR A GAS
15 STATION, ALL THE WAY UP TO REFINERIES AND POWER PLANTS.

16 WE HAVE IN THE NEIGHBORHOOD OF 25, 26,000
17 FACILITIES IN THIS REGION THAT WE REGULATE. WE HAVE IN
18 THE NEIGHBORHOOD OF 25, 26,000 FACILITIES THAT INCLUDES
19 ANYWHERE FROM DRY-CLEANERS TO LARGE REFINERIES AND POWER
20 PLANTS THAT WE REGULATE IN THIS FOUR-COUNTY AREA.

21 WHAT WE'RE HERE TODAY FOR IS TO HOLD A PUBLIC
22 HEARING ON A PROPOSED, NOT AN ISSUED, BUT A PROPOSED
23 PERMIT FOR FALCON FOAM. AND I WANTED FIRST TO TAKE CARE
24 OF A FEW THINGS BEFORE WE GET STARTED JUST SO THAT WE CAN
25 WORK THIS MEETING OUT AND RUN AS SMOOTHLY AS POSSIBLE.

1 FIRST, I WOULD APPRECIATE IT IF THOSE OF YOU WHO
2 HAVE COME HERE AND ARE INTERESTED TO LEARN MORE ABOUT THE
3 DECISION ON THIS PERMIT, WHETHER IT'S GOING TO BE GRANTED
4 OR NOT, IF YOU FILL OUT ONE OF THOSE ROSTERS THE SIGN-UP
5 SHEETS AT THE FRONT DESK. AND NATALIA IS SETTING UP. SO
6 IF YOU HAVEN'T SIGNED ONE, I APPRECIATE YOU ASK HER TO
7 BRING IT TO YOU. WE'D LIKE TO HAVE YOUR NAME AND ADDRESS
8 IN PARTICULAR SO WE CAN SEND YOU THE INFORMATION.

9 SECONDLY, IF ANYBODY IS INTERESTED TO MAKE
10 PUBLIC COMMENTS, WHICH IS THE MAIN PURPOSE OF WHY WE'RE
11 HERE TODAY, IF ANYBODY WANTS TO MAKE PUBLIC COMMENTS
12 TODAY, I WOULD APPRECIATE IF YOU, AGAIN, EITHER RAISE
13 YOUR HAND, GO BACK THERE, THERE IS A BLUE FORM LIKE THIS
14 THAT YOU CAN FILL OUT. I'D APPRECIATE IF YOU CAN FILL
15 THAT OUT, AGAIN, AND PUT YOUR ADDRESS THERE SO WE KNOW
16 WHO YOU ARE, AND PHONE NUMBER IN CASE WE NEED TO CONTACT
17 YOU.

18 THE AGENDA IS ALSO ON THE BACK TABLE FOR THOSE
19 OF YOU WHO MAY HAVE WALKED IN FROM ANOTHER DOOR OR
20 ANOTHER AREA. IF YOU PLEASE PICK ONE UP SO IT TELLS YOU
21 THE ORDER OF THINGS TODAY. I'M TRYING TO KEEP THIS AS
22 INFORMAL AS POSSIBLE. BUT AGAIN, WE'D LIKE TO MAKE SURE
23 EVERYBODY WHO IS HERE GETS AN OPPORTUNITY TO SPEAK IF
24 THEY DESIRE TO.

25 RESTROOMS ARE TO MY RIGHT. SO ANYBODY WHO NEEDS

1 TO USE THEM, PLEASE FEEL FREE. THIS MEETING IS INTENDED
2 TO RUN FROM 10 O'CLOCK, RIGHT ABOUT WHEN WE STARTED,
3 10:05, UNTIL 1 O'CLOCK. SO WE'RE GOING TO STAY HERE AS
4 LONG AS YOU'D LIKE US TO STAY HERE TO LISTEN TO YOUR
5 COMMENTS, BUT THAT'S THE TIME FRAME THAT WE ADVISED YOU
6 OF. SO WITH THAT, WHAT I'D LIKE TO DO IS FIRST INTRODUCE
7 SOME OF THE OTHER PEOPLE UP HERE. AND FROM NOW, IF YOU
8 DON'T MIND, INSTEAD OF SAYING SOUTH COAST AIR QUALITY
9 MANAGEMENT DISTRICT, I'M JUST GOING TO SAY AQMD AS AN
10 ABBREVIATION FOR THAT SO WE DON'T WASTE YOUR TIME
11 REPEATING OUR NAME.

12 OKAY. NOW I WILL JUST GO THROUGH THE AQMD STAFF
13 WHO ARE HERE AT THE TABLE. RIGHT HERE IS DAVE SCHWIEN.
14 DAVE IS SENIOR MANAGER IN CHARGE OF PERMITTING FOR THE
15 FALCON FOAM FACILITY AND A NUMBER OF OTHER FACILITIES
16 WITHIN OUR JURISDICTION. NEXT TO HIM IS JOHN OLVERA.
17 HE'S SENIOR DEPUTY DISTRICT COUNSEL. ALSO SITTING IN THE
18 FIRST ROW HERE IS BILLY THOMPSON. HE'S ALSO ONE OF OUR
19 MANAGERS IN CHARGE OF THE TITLE V PROGRAM.

20 AND I'LL TELL YOU WHAT TITLE V IS IN A LITTLE
21 BIT, SO JUST KEEP THAT IN MIND. SITTING BEHIND HIM IS
22 ELISA GUTIERREZ. SHE'S A SECRETARY FOR DAVE. AND THEN
23 IN THE FRONT HERE WE HAVE HERBERT WILSON. IF YOU COULD,
24 RAISE YOUR HAND. SUPERVISING ENGINEER FOR PERMITTING.
25 VICKY LEE, SHE'S THE AREA QUALITY ENGINEER WORKING WITH

1 FALCON FOAM. AND MARK VAL, WHO IS THE SUPERVISING
2 INSPECTOR FOR FALCON FOAM. THEN IN THE BACK OF THE ROOM
3 WE HAVE NATALIA PORCHE WITH OUR PUBLIC AFFAIRS OFFICE.
4 AND I WILL ALSO LET YOU KNOW THERE'S A NUMBER OF
5 OTHER PUBLICATIONS FROM OTHER ENVIRONMENTAL GROUPS AND
6 ALSO FROM AQMD ON THE BACK TABLE. SO IF YOU'D LIKE TO
7 PICK ONE UP, PLEASE FREE TO DO THAT.
8 THE ONE I'M GOING TO ANNOUNCE MORE TIMES IN THIS
9 MEETING IS THE SMALL BROCHURE FOR 1-800-CUT-SMOG. AND
10 SOME OF YOU KNOW, SOME OF YOU DON'T, THIS PHONE NUMBER IS
11 FOR CALLING 24 HOURS, 7 DAYS A WEEK. IF YOU HAVE ANY AIR
12 POLLUTION COMPLAINTS, WHETHER IT'S ODOR, WHETHER IT'S
13 DUST, SMOKE, ANYTHING LIKE THAT, THE 1-800-CUT-SMOG IS
14 THE NUMBER TO CONTACT US.
15 DID I LEAVE ANYBODY ELSE OUT FROM THE DISTRICT?
16 ALL RIGHT. THE ORDER OF THE MEETING AS SHOWN ON THE
17 AGENDA IS WE'RE GOING TO MAKE A VERY BRIEF PRESENTATION
18 REGARDING WHAT TITLE V PERMITTING PROGRAM AND SOME
19 SPECIFIC INFORMATION REGARDING FALCON FOAM, WHO IS THE
20 COMPANY THAT WE ARE HOLDING THIS HEARING FOR, THE
21 PROPOSED TITLE V PROGRAM FOR FALCON FOAM. WE'RE GOING TO
22 HAVE -- THE COMPANY HAS REQUESTED TO MAKE A PRESENTATION,
23 SO WHEN IT COMES TIME, I'LL ASK THEM TO INTRODUCE
24 THEMSELVES AND LET THEM KNOW WHO YOU ARE AND WHAT YOUR
25 PUBLIC COMMENT IS, WHICH IS THE MAIN PURPOSE THAT WE'RE

1 HERE.

2 AND AGAIN, IF YOU'D LIKE TO MAKE COMMENTS, I'D
3 APPRECIATE IF YOU FILL OUT ONE OF THOSE CARDS, EITHER
4 GIVE IT TO NATALIA OR DROP IT OFF HERE OR HOLD IT UP AND
5 WE'LL COLLECT IT FROM YOU. WITH THAT, WHAT I'D LIKE TO
6 DO IS GET ON WITH THE AGENDA.

7 BEFORE DAVE GIVES YOU THE QUICK PRESENTATION
8 THAT WE'VE PREPARED, I WANT TO GIVE A REALLY, REALLY
9 SHORT DESCRIPTION ON WHAT THE TITLE V PROGRAM IS. DAVE
10 WILL TALK MORE ABOUT IT. BUT FOR THOSE OF YOU WHO NEVER
11 HEARD OF IT, TITLE V, IT'S A FEDERALLY-MANDATED PROGRAM.
12 IN OTHER WORDS, THIS WAS SOMETHING THAT THE UNITED STATES
13 ENVIRONMENTAL PROTECTION AGENCY, WHICH CONTROLS ALL
14 STATES, 50 STATES IN THE UNITED STATES WITH RESPECT TO
15 NOT ONLY AIR, BUT OTHER ENVIRONMENTAL ISSUES, TO ENFORCE
16 AS PART OF THE CHANGES THAT CONGRESS MADE TO THE CLEAN
17 AIR ACT IN 1990 AND THE TITLE V PROGRAM WAS TO REQUIRE
18 ALL FACILITIES THAT ARE, QUOTE, MAJOR SOURCES OR LARGE
19 FACILITIES TO OBTAIN A FEDERALLY ENFORCEABLE PERMIT
20 THROUGHOUT THE COUNTRY.

21 LOCAL AREA AQMD, OUR AGENCY, HAS BEEN PERMITTING
22 FACILITIES HERE SINCE THE 1940S. SO WHAT WE HAVE TO DO
23 WAS TAKE OUR PERMITS AND ACCOMMODATE THEM INTO A SINGLE
24 PERMIT. THAT'S CALLED TITLE V PERMIT. YOU PROBABLY KNOW
25 THAT MANY OTHER STATES THROUGHOUT THE COUNTY, THEY WERE

1 NOT ISSUING FACILITIES A FINAL OPERATING PERMIT. AND
2 THEREFORE, THERE WAS A CONCERN WITH CONGRESS THAT THESE
3 FACILITIES, INDUSTRIAL FACILITIES INITIALLY TOLD THE
4 AGENCIES THAT THIS IS WHAT THEY WANT TO BUILD, BUT THEN
5 NOBODY GOES BACK TO ENFORCE AND ACTUALLY CHECKED IF THEY
6 BUILT WHAT THEY SAID THEY WERE GOING TO BUILD. AND
7 THEREFORE, IT WAS A MANDATE FOR ALL THE STATES TO ISSUE A
8 FINAL PERMIT.

9 WE WERE DOING THAT SINCE LIKE I SAID THE 1940S.
10 SO THE LAST FIVE DECADES WE'VE BEEN DOING THAT, AND WE'RE
11 CONTINUING TO DO THAT. BUT SOME OF THE FACILITIES WILL
12 BE SUBJECT TO THIS PERMIT. AND ONE LAST THING I WANT TO
13 MENTION, THAT THE REQUIREMENT FOR TITLE V FACILITIES ARE
14 DIFFERENT FOR DIFFERENT PARTS OF, NOT ONLY THE COUNTY,
15 BUT EVEN IN CALIFORNIA. AND THAT DEPENDS ON THE SEVERITY
16 OF THE AIR QUALITY PROBLEM.

17 OUR AREA, BECAUSE WE HAVE ONE OF THE -- OR THE
18 WORST AIR QUALITY IN THE NATION, THE SIZE OF THE FACILITY
19 THAT IS SUBJECT TO THIS PROGRAM IS VERY SMALL. NO OTHER
20 AREA IN THE COUNTRY REQUIRES TITLE V PERMIT FOR THAT SIZE
21 FACILITY. AND DAVE WILL TALK ABOUT WHAT THAT SIZE IS IN
22 TERMS OF THE AMOUNT OF EMISSIONS. WITH THAT, I'D LIKE TO
23 GO AHEAD AND ASK DAVE TO BEGIN HIS PRESENTATION.

24 MR. SCHWIEN: THANK YOU, MOHSEN. THERE IS A
25 COPY OF THE SLIDES I'M GOING TO BE PRESENTING ON THE BACK

1 TABLE. IF YOU HAVEN'T PICKED ONE UP, CERTAINLY FEEL FREE
2 TO DO THAT. AS MOHSEN MENTIONED, THIS IS THE AGENDA FOR
3 TODAY. YOU'VE HEARD THE OPENING REMARKS ALREADY. AND
4 THE SECOND ITEM ON THE AGENDA HERE IS ON THE OVERVIEW OF
5 THE PERMITTING -- OF THE PERMITTING PROGRAM. FALCON FOAM
6 WILL THEN BE GIVING A PRESENTATION, AND THEN WE WILL BE
7 OPENING IT UP FOR PUBLIC COMMENTS WITH MOHSEN MAKING A
8 FEW CLOSING REMARKS.

9 THIS NEXT SLIDE IS KIND OF A GENERAL OVERVIEW OF
10 OUR AGENCY'S PERMITTING PROGRAM. AS MOHSEN MENTIONED, WE
11 HAVE ISSUED PERMITS TO SEVERAL THOUSAND COMPANIES. AND
12 THE NUMBER OF PERMITS IS BETWEEN 70 AND 80,000 PERMITS.
13 THE PERMITTING PROGRAM IS ACTUALLY ESSENTIALLY TWO STEPS.
14 WHAT THAT REQUIRES IS AN APPLICANT MUST SUBMIT A PERMIT
15 PRIOR TO ANY CONSTRUCTION OR MODIFICATION WITH DETAILS TO
16 US FOR OUR REVIEW. OUR ENGINEERS TAKE A LOOK AT IT. IF
17 WE CANNOT EXPECT THAT IT WILL OPERATE IN COMPLIANCE WITH
18 OUR RULES AND REGULATIONS, THEN WE WOULD DENY THAT PERMIT
19 TO CONSTRUCTION.

20 HOWEVER, IF WE EXPECT COMPLIANCE, THEN WE WOULD
21 ISSUE A PERMIT TO CONSTRUCT. IF THAT TAKES PLACE,
22 CONSTRUCTION THEN WOULD PRESUMABLY FORWARD AND OPERATION
23 OF THE EQUIPMENT WOULD ALSO BEGIN. AFTER SOME TIME FOR
24 THE OPERATION TO FINALIZE AND TO REACH DESIRED LEVELS, WE
25 WOULD THEN EVALUATE THE EQUIPMENT FOR COMPLIANCE WITH OUR

1 RULES AND REGULATIONS. IF WE DETERMINE THAT THERE IS
2 COMPLIANCE, THEN WE WOULD ISSUE A PERMIT TO OPERATE. BUT
3 AGAIN, IF WE DO NOT BELIEVE THERE WILL BE COMPLIANCE, WE
4 WILL DENY THEIR PERMIT. THE COMPANY CANNOT OPERATE WHEN
5 THEIR PERMIT IS DENIED, AND THEY MUST SEEK A VARIANCE.
6 IT'S NOT GUARANTEED, BUT THEY MUST ATTEMPT TO GET A
7 VARIANCE FROM A HEARING BOARD THROUGH OUR AGENCY.

8 NOW, THERE IS VARIOUS TYPES OF PERMITTED
9 FACILITIES. THE FIRST TYPE IS WHAT WE CALL A RECLAIM
10 FACILITY AND A RECLAIM REGIONAL CLEAR AIR INTENSIVE
11 MARKET. THERE'S ABOUT 340 COMPANIES IN THIS CATEGORY.
12 THE SECOND CATEGORY IS NON-RECLAIM COMPANIES. AND THESE
13 REMAINING COMPANIES ARE SOMETHING AROUND 27,000
14 COMPANIES.

15 NOW, COMPANIES FROM EITHER ONES OF THESE
16 CATEGORIES, COMPANIES FROM EITHER ONES OF THESE
17 CATEGORIES CAN BE REQUIRED TO BE IN THE TITLE V PROGRAM,
18 BUT AGAIN, IT DEPENDS ON THE EMISSIONS LEVELS OF THE
19 AREA'S AIR CONTAMINANTS FROM THE FACILITIES OR HAZARDOUS
20 AIR POLLUTANTS FROM THE FACILITIES. AND WE'LL GET INTO A
21 LITTLE BIT MORE DETAIL IN A MINUTE.

22 THIS IS AN OVERVIEW OF THE TITLE V PROGRAM. AND
23 AGAIN, WE'LL GET INTO MORE DETAIL. AND THE SLIDE IS
24 COMING UP HERE, BUT WE'LL DESCRIBE THE PURPOSE OF THE
25 PROGRAM, THE BENEFITS OF THE PROGRAM, THE PUBLIC

1 PARTICIPATION IN THE PROGRAM, WHAT THE TITLE V PERMIT
2 CONSISTS OF, AND THE EMISSIONS, THE ACTUALLY EMISSIONS
3 FROM FALCON FOAM. AND WE'LL BE CONCLUDING WITH WHAT THE
4 PERMITTING SCHEDULE IS FOR THIS PARTICULAR FACILITY.

5 NEXT, PLEASE. AS MOHSEN INDICATED, TITLE V IS
6 ONE SECTION OF SEVERAL SECTIONS OF THE FEDERAL CLEAN AIR
7 ACT. WHAT TITLE V DOES, IT BRINGS THOSE SECTIONS
8 TOGETHER INTO SPECIFIC PERMITTING REQUIREMENTS FOR ANY
9 FACILITY THAT IS ENTITLED TO GET A TITLE V PERMIT. THE
10 PROBLEM WITH THE BASIS FOR THIS, AS MOHSEN INDICATED,
11 THAT THE TITLE V PERMITTING PROGRAM REQUIRES A SINGLE
12 PERMIT FOR THE FACILITY. AND THIS WOULD ENHANCE
13 CONSISTENCY FROM ONE FACILITY TO ANOTHER AS TO WHAT THOSE
14 REQUIREMENTS ARE. AND IT DOES PROVIDE A COMPREHENSIVE
15 COMPLIANCE DOCUMENT.

16 IN ADDITION, THE PROGRAM ENHANCES PUBLIC
17 PARTICIPATION, AND IT ALSO HAS A COMPONENT IN WHICH THE
18 EPA REVIEWS THE PERMIT AFTER WE SUBMIT OUR
19 RECOMMENDATIONS FOR REVIEW. THAT'S A 45-DAY REVIEW
20 PERIOD, AND THAT HAS NOT YET TAKEN PLACE.

21 NEXT, PLEASE. THE BENEFITS OF THE PROGRAM THAT
22 WE TOUCHED ON ALREADY IS THAT IT THE PERMITS CONSOLIDATE
23 A REGULATORY REQUIREMENT FOR A SINGLE PERMIT, PROVIDES
24 OPPORTUNITIES FOR PUBLIC PARTICIPATION AND EPA REVIEW,
25 AND OF COURSE, THAT'S WHAT'S TAKING PLACE HERE TODAY, AND

1 INCREASES COMPLIANCE AND ACCOUNTABILITY BY THE FACILITY
2 OPERATOR. HOWEVER, THE TITLE V DOES NOT HAVE ANY NEW
3 EMISSION CONTROL OR REDUCTION REQUIREMENTS, BUT IT DOES
4 ADDITIONAL REQUIREMENTS FOR COMPLIANCE ASSURANCE
5 MONITORING.

6 PUBLIC SPEAKER: CAN I COMMENT?

7 MR. NAZEMI: I PREFER YOU WAIT UNTIL THE END IF
8 YOU DON'T MIND.

9 MR. SCHWEIN: NEXT, PLEASE. WHO IS SUBJECT TO
10 OBTAINING A TITLE V PERMIT? THERE REALLY ARE TWO MAIN
11 CATEGORIES. THE MAJOR STATIONARY SOURCES, IF THE
12 FACILITY IS DETERMINED TO BE A MAJOR SOURCE, I.E.
13 PRODUCING 10 TONS A YEAR OF VOLATILE ORGANIC COMPOUNDS OR
14 VOC'S, NITROGEN OXIDES OR NOX, SINGLE HAZARDOUS AIR
15 POLLUTANT, WHICH IS HAP, THEN THE COMPANY MUST BE IN THE
16 TITLE V PROGRAM.

17 NOW, FALCON FOAM DOES FIT INTO THIS PROGRAM.
18 THEY ARE ELIGIBLE BECAUSE THEIR VOC EMISSIONS ARE GREATER
19 THEN 10 TONS PER YEAR. THE OTHER CRITERIA IS THAT THE
20 FACILITY IS SUBJECT TO FEDERAL REGULATIONS SUCH AS THE
21 TITLE IV ACID RAIN PROGRAM. AND TYPICALLY THAT WOULD BE
22 A POWER PLANT. A FEDERAL NEW SOURCE PERFORMANCE
23 STANDARD, OR FEDERAL NATIONAL EMISSION STANDARD FOR
24 HAZARDOUS AIR POLLUTANTS ARE ALL PART OF THE CLEAN AIR
25 ACT.

1 NEXT, PLEASE. FOCUSING ON PUBLIC PARTICIPATION,
2 THE PUBLIC PARTICIPATES AT VARIOUS LEVELS ALONG THE
3 PROCESS. HERE THE FIRST LEVEL IS PRIOR TO AND IS PART OF
4 THE INITIAL TITLE V PERMITTING ACTIVITY. AND THAT'S KIND
5 OF WHAT WE'RE DOING HERE. WE HAVE NOT ISSUED -- AN
6 OFFICIAL INITIAL TITLE V PERMIT HAS NOT BEEN ISSUED TO
7 FALCON FOAM, AND SO THAT'S STILL UNDER DISCUSSION.

8 THE NEXT CATEGORY, IF THERE'S A SIGNIFICANT
9 PERMIT REVISION. AND FOR THE MOST PART THAT'S IF
10 SOMEBODY WANTS TO MAKE A MODIFICATION AND WANTS TO MAKE
11 INCREASES IN THE AIR CONTAMINANTS COMING FROM THE
12 FACILITY. AND THIRD CATEGORY, PERMIT RENEWAL, THIS
13 HAPPENS EVERY FIVE YEARS. A TITLE V PERMIT IS ONLY GOOD
14 FOR FIVE YEARS AND THEN HAS TO BE REVIEWED.

15 HOW IS THE PUBLIC NOTIFIED? WHAT WE DID IN THIS
16 CASE THROUGH NEWSPAPER OF GENERAL CIRCULATION AND BY MAIL
17 TO INTERESTED PARTIES. AND HOW CAN THE PUBLIC
18 COMMUNICATE WITH THE AQMD? AND THAT'S THROUGH LETTERS,
19 THROUGH REQUESTING A PUBLIC HEARING, AND AGAIN, THAT'S
20 WHAT WE'RE DOING HERE TODAY, AND PROVIDING PUBLIC
21 COMMENTS EITHER BEFORE OR DURING THE HEARING.

22 NEXT, PLEASE. THE CONTENT OF FALCON FOAM PERMIT
23 OR IN GENERAL FOR ANY PERMIT IS AS FOLLOWS. BUT FIRST
24 LET'S FOCUS ON FALCON FOAM. THEY PRODUCE A BLOCK -- FOAM
25 BLOCK MANUFACTURING. IT'S A FOAM BLOCK MANUFACTURING

1 FACILITY. THEIR TITLE V PERMIT INCLUDES FACILITY
2 INFORMATION, SECTION A; SECTION B INCLUDES A RECLAIM
3 EMISSION ALLOCATION. WHAT THAT MEANS IS A MAXIMUM
4 EMISSION LEVEL THAT CANNOT BE EXCEEDED FROM THE FACILITY.
5 IN THIS CASE WE'RE TALKING ABOUT OXIDES OF NITROGEN. THE
6 LAST THREE ITEMS ON THE LIST WILL DESCRIBE EQUIPMENT AND
7 ADMINISTRATION PERMIT CONDITIONS. AND OTHER SECTIONS,
8 AGAIN, WHICH WILL PROVIDE FURTHER DETAIL.

9 WITH REGARDS TO THE EQUIPMENT DESCRIPTION AND
10 CONDITIONS, IN OTHER WORDS, SECTION D AND H OF THE
11 PERMIT, THESE SECTIONS SPECIFICALLY IDENTIFY THE
12 EQUIPMENT THAT MUST BE ADDRESSED FOR WHICH REQUIREMENTS
13 OF REGULATIONS ARE SPECIFIED. THERE'S A LIST OF EMISSION
14 LIMITS FOR EACH OF THESE ITEMS OF EQUIPMENT, AND THERE
15 ARE SPECIFIC OPERATING REQUIREMENTS FOR THE FACILITY IN
16 GENERAL FOR EACH PROCESS AND FOR EACH SPECIFIC PIECE OF
17 EQUIPMENT.

18 CONTINUING ON WITH SECTIONS D AND H OF THE TITLE
19 V PERMIT, THIS SECTION IS OPERATING CONDITIONS FOR
20 SOURCES UNDER VARIANCE. AND FALCON FOAM IS UNDER
21 VARIANCE. AND WE'LL GIVE MORE DETAILS ABOUT THAT. BUT
22 THIS COMPLIANCE OF LEVEL 1175, WHICH IS SPECIFICALLY IN
23 ORDER TO LIMIT VOLATILE ORGANIC COMPOUND CHEMICALS FROM
24 FOAM MANUFACTURING OPERATION. THIS SECTION ALSO LISTS
25 MONITORING AND REPORTING REQUIREMENTS TO ENSURE PERMIT

1 ENFORCEABILITY. AND FINALLY, IT IDENTIFIES REGULATIONS
2 FOR WHICH THE EMISSION LIMITS AND PERMIT CONDITIONS ARE
3 DERIVED.

4 NEXT, PLEASE. WITH REGARDS TO THE
5 ADMINISTRATIVE CONDITIONS, GENERAL REQUIREMENTS IN
6 SECTION K RELATED TO TITLE V AUTHORITY. SECTION E,
7 CONDITIONS OR REQUIREMENTS RELATED TO EQUIPMENT OPERATION
8 WITH REGARDS TO MONITORING, REPORTING, OR RECORDKEEPING
9 REQUIREMENTS. THOSE WOULD BE CONTAINED IN SECTION F AND
10 ALSO IN SECTION G.

11 NEXT, PLEASE. SECTION OTHER INFORMATION IN
12 FALCON FOAM'S PROPOSED TITLE V PERMIT, SECTION I, THIS
13 LISTS ENFORCEABLE COMPLIANCE PLANS REQUIRED BY THE RULES
14 AND REGULATIONS. SECTION J LISTS THE PERMIT CONDITIONS
15 PERTAINING TO FEDERAL AIR TOXIC REQUIREMENTS. APPENDIX A
16 LISTS CATEGORIES OF SMALLER NOX EMITTING EQUIPMENT
17 SUBJECT TO RECLAIM BUT EXEMPT FROM PERMIT REQUIREMENTS.

18 FINALLY, APPENDIX B LISTS OTHER SPECIFIC
19 EMISSION LIMITS SUCH AS THOSE FOR SOLVENTS, CLEANING
20 OPERATIONS. THERE'S A SECTION THAT ALSO CONTAINS THE
21 RULES WITH RESPECT TO VOC EMISSIONS FROM FOAM
22 MANUFACTURING AND ALSO A COUPLE OF RULES SETTING FORTH
23 RULES OF PARTICULAR EMISSIONS.

24 NEXT, PLEASE. WITH REGARD TO FALCON FOAM
25 COMPLIANCE HISTORY, AGAIN, WE'RE TALKING ABOUT RULES OF

1 COMPLIANCE WITH RULE 1175, WHICH IS CONTROL OF VOLATILE
2 ORGANIC CHEMICAL EMISSION FROM FOAM MANUFACTURING
3 OPERATION. CURRENTLY THE COMPANY IS NOT IN COMPLIANCE
4 WITH THOSE REGULATIONS. THE AQMD, OUR DISTRICT, HAS
5 ISSUED NOTICE BECAUSE OF NON-COMPLIANCE IN OCTOBER OF
6 2003. IN ADDITION, THE EPA HAS ISSUED A NOTICE OF

7 VIOLATION FOR THAT SAME LEVEL OF NON-COMPLIANCE IN MARCH
8 OF 2004, THIS YEAR.

9 NEXT, PLEASE. CONTINUING ON WITH THE COMPLIANCE
10 STATUS OF FALCON FOAM. FALCON FOAM HAS BEEN OPERATING
11 UNDER A VARIANCE THAT THEY OBTAINED FROM OUR AGENCY SINCE
12 DECEMBER OF 2003. THOSE VARIANCES -- THAT VARIANCE DOES
13 HAVE PARTICULAR REQUIREMENTS WHICH SPECIFY REDUCED RAW
14 MATERIAL VOC CONTENT. IN THIS CASE WE'RE TALKING ABOUT
15 PENTANE, WHICH IS A BLOWING AGENT, ADDITIONAL RAW
16 MATERIAL AND PRODUCT TESTS, AND ALSO ADDITIONAL
17 RECORDKEEPING AND REPORTING REQUIREMENTS ARE REQUIRED.

18 NEXT, PLEASE. HERE IS SOME EMISSION INFORMATION
19 ON FALCON FOAM FOR FISCAL YEAR 2002-2003. NOW, THIS
20 LISTS JUST TO THE RIGHT OF EACH BULLET THE EMISSIONS OF
21 VOLATILE ORGANIC COMPOUNDS, IN OTHER WORDS, VOC, NITROGEN
22 OXIDES, SULFUR OXIDES, CARBON MONOXIDE, AND PARTICULAR
23 MATTER. THE FIRST COLUMN OF NUMBERS TO THE RIGHT OF THAT
24 ARE THE FALCON FOAM REPORTED EMISSIONS IN TONS PER YEAR.
25 YOU CAN SEE THAT 20 TONS PER YEAR FOR VOC. AND THEN YOU

1 CAN SEE FOR YOURSELF WHAT THE TONS PER YEAR ARE FOR EACH.

2 NOW, TO THE RIGHT OF THAT ARE THE TITLE V MAJOR
3 SOURCE THRESHOLD LIMITS WHICH ARE NOT TO BE EXCEEDED.
4 THEN THE TITLE V PERMITTING PROGRAM, IF YOU CAN SEE THAT,
5 FALCON FOAM DOES EXCEED THAT. THE VOLATILE ORGANIC
6 COMPOUND THRESHOLD LIMIT IS 10, AND THEY'RE AT 20. IT
7 SHOULD BE NOTED THAT AS RECENTLY AS FISCAL YEAR 2001
8 THEY'RE VOC'S WERE AT 50 TONS PER YEAR. SO THERE HAS
9 BEEN SOME IMPROVEMENT.

10 NEXT, PLEASE. THIS SLIDE ALSO ADDRESSES FALCON
11 FOAM LIMITATIONS. USING THIS LITTLE LASER POINTER HERE,
12 THE FOUR ITEMS HERE ON THE LEFT OF THE CHART ARE THE
13 HAZARDOUS OF THE TOXIC AIR POLLUTANTS. AND THAT'S A
14 GENERAL TERMINOLOGY FOR A VARIETY OF CHEMICALS. THESE
15 ARE FROM THE COMBUSTION PROCESS. AS YOU CAN SEE IN
16 POUNDS PER YEAR, THESE ARE THE MEASUREMENTS IN POUNDS PER
17 YEAR.

18 NOW WE'RE COMPARING THAT WITH MAJOR SOURCE
19 THRESHOLDS. AND AGAIN, THIS IS A TITLE V PERMITTING
20 CRITERIA. AND YOU CAN SEE IT'S 10 TONS PER YEAR FOR A
21 SINGLE HAZARDOUS AIR POLLUTANT OR 25 TONS PER YEAR FOR
22 COMBINATION OF HAZARDOUS AIR POLLUTANTS. AND YOU CAN SEE
23 WHAT THOSE ARE INDIVIDUALLY. AND IF WE ADD THESE UP AND
24 CONVERT THE POUNDS IN TONS, IT WORKS OUT TO A TENTH OF A
25 TON PER YEAR. SO THEY'RE WELL BELOW THE COMBINATION OF

1 25.

2 NEXT, PLEASE. FINALLY, THE LAST TWO SLIDES ARE
3 KIND OF WHERE WE'VE BEEN AND WHERE WE'RE GOING AS FAR AS
4 THE PROPOSED TITLE V PERMITTING SCHEDULE. IN JUNE OF
5 THIS YEAR WE ISSUED A PUBLIC NOTICE FOR THE INITIAL
6 PROPOSED TITLE V PERMIT. THERE WAS A 30-DAY PUBLIC
7 REVIEW PERIOD. WE SENT THE MATERIAL TO EPA FOR THE
8 45-DAY REVIEW. EPA SENT THAT BACK TO US BECAUSE IT WAS
9 INCOMPLETE, AND THEY TOLD US THE 45-DAY PERIOD NEEDED TO
10 START AGAIN. SO THAT'S WHERE WE ARE RIGHT NOW. OF
11 COURSE, THERE WAS A REQUEST FOR TODAY'S HEARING MADE IN
12 JULY OF THIS YEAR.

13 NEXT, PLEASE. AND THEN THIS FIRST ITEM ON THE
14 TOP OF THIS LISTS THE HEARING THAT WE'RE HAVING TODAY,
15 PUBLIC HEARING. AND TODAY WOULD BE THE FINAL DAY TO
16 PROVIDE PUBLIC COMMENTS. AND AFTER TODAY WE WILL BE
17 TAKING THESE COMMENTS AND DETERMINING WHAT FINAL ACTION
18 IT IS THAT WE WILL BE TAKING, FORMULATING OUR
19 RECOMMENDATIONS, NOTIFYING YOU ALL BY MAIL. AND AGAIN,
20 IT IS IMPORTANT WE GET YOUR NAMES AND ADDRESS SO WE CAN
21 NOTIFY YOU WHAT OUR DETERMINATIONS ARE. AND THEN WE WILL
22 BE RESUBMITTING OUR PROPOSALS AND RECOMMENDATIONS TO THE
23 EPA TO INITIATE THEIR FINAL 45-DAY REVIEW PERIOD.

24 SO THAT CONCLUDES MY PRESENTATION. THANK YOU
25 VERY MUCH FOR YOUR TIME.

1 MR. NAZEMI: JOE, I THINK YOU HAD A QUESTION YOU
2 WANTED TO ASK ABOUT THE PRESENTATION. AND IF ANYBODY HAS
3 ANY QUESTIONS JUST TO CLARIFY WHAT WE SAID, FEEL FREE TO
4 ASK A QUESTION. IF YOU HAVE ANY COMMENTS, I WOULD
5 APPRECIATE YOU HOLD OFF UNTIL WE GET TO THE PUBLIC
6 COMMENT PROCESS.

7 MR. LYOU: YES, I DO HAVE A QUESTION. JOE LYOU,
8 CALIFORNIA ENVIRONMENTAL RIGHTS ALLIANCE. I HAD A COUPLE
9 OF QUESTIONS JUST ON THE PRESENTATION. THE FIRST BEING
10 YOU GAVE A LIST OF THE TWO NOTICES OF VIOLATIONS THAT
11 WERE ISSUED. IT'S ON PAGE 7 OF THE HANDOUT. THE SLIDES
12 ARE NOT NUMBERED, SO IT'S THE SLIDE WITH FALCON FOAM
13 COMPLIANCE STATUS. IT IS MY UNDERSTANDING THAT MORE THAN
14 THESE TWO NOTICES OF VIOLATIONS HAVE BEEN ISSUED. AND I
15 WAS WONDERING IF YOU HAD A COMPLETE LIST OF THE NOV'S
16 THAT HAVE BEEN ISSUED TO THE FACILITY.

17 MR. NAZEMI: IT'S MY UNDERSTANDING THAT THE
18 REASON WE PUT THESE OVER ON THIS SLIDE, THAT THESE ARE
19 THE TWO NOTICES OF VIOLATION THAT ARE PENDING AND HAVE
20 NOT BEEN RESOLVED. SO THOSE ARE THE TWO THAT ARE BEING
21 ADDRESSED.

22 MR. LYOU: THEY'RE OUTSTANDING?

23 MR. NAZEMI: THAT'S CORRECT.

24 MR. LYOU: THE SLIDE WASN'T LIMITED?

25 MR. NAZEMI: I WAS JUST INFORMED THAT BESIDES

1 THAT ONE THAT WAS LISTED IN THE PRESENTATION, THERE WAS A
2 NOTICE OF VIOLATION ISSUED FOR OPERATING EQUIPMENT AT THE
3 FACILITY WITHOUT HAVING A PERMIT FROM US. SO THOSE TWO
4 BASICALLY ARE THE TWO THAT OUR AGENCY HAS ISSUED.

5 MR. LYOU: OKAY. ON THE NEXT PAGE OF THE
6 HANDOUT, THE BOTTOM OF PAGE 8 FALCON FOAM'S ANNUAL FISCAL
7 YEAR 2002-2003, IT SAYS THAT THEY REDUCED -- THE FOOTNOTE
8 IS REDUCED FROM 50 TONS PER YEAR IN FISCAL YEAR 2000 TO
9 2001 AND VOC'S ARE MOSTLY PENTANE (NON-TOXIC). IT'S MY
10 UNDERSTANDING THAT PENTANE DOES HAVE ACUTE TOXIC IMPACTS.
11 I WAS WONDERING WHY YOU INDICATED THAT PENTANE IS
12 NON-TOXIC.

13 MR. NAZEMI: JOE, I WOULD APPRECIATE YOU PROVIDE
14 US THAT INFORMATION. WE HAVE LOOKED AT TOXIC COMPOUNDS
15 WHICH ARE CARCINOGENS AND NON-CARCINOGENS. IT IS NOT
16 PART OF OUR LIST.

17 MR. LYOU: I WOULD INDICATE THAT IT IS ON THE
18 CDC LIST OF CHEMICALS UNDER THEIR CHEMICAL PROGRAM. AND
19 UNDER PENTANE, I BELIEVE THEY INDICATE THAT THERE'S
20 CANCER RISKS, AND THERE MAY BE ACUTE IMPACTS IN TERMS OF
21 PUBLIC HEALTH. SO I WAS JUST WONDERING WHY IT SAYS
22 NON-TOXIC THERE.

23 MR. NAZEMI: I WILL BE INTERESTED TO LOOK AT
24 THAT INFORMATION. BECAUSE I HAVE THE NS LIST ON PENTANE
25 THAT WE OBTAINED ON THE INTERNET THAT DOESN'T LIST THAT.

1 SO WE'LL LOOK AT THE CDC INFORMATION. THANK YOU.

2 THERE WAS A LADY HERE THAT HAD A QUESTION OR

3 COMMENT ABOUT THE PRESENTATION. THANK YOU.

4 MS. SARNOFF: FIRST, I NOTED AT THE BEGINNING OF

5 THE PRESENTATION THAT YOU ISSUED SOMETHING LIKE 70,

6 80,000 PERMITS A YEAR. AND I WANTED TO KNOW HOW MANY

7 INSPECTORS AND INVESTIGATORS YOU HAVE TO MONITOR THOSE

8 REQUESTS? MY OBSERVATION RECENTLY IS THERE TENDS TO BE A

9 CUT IN THE NUMBER OF PEOPLE DOING PUBLIC OVERSIGHT AS

10 COMPARED WITH WHAT THEY'RE BEING ASKED TO DO.

11 SECOND QUESTION, I WANTED TO FIND OUT IF THERE

12 IS SPECIAL STANDARDS FOR CHILDREN, THE ELDERLY, PREGNANT

13 WOMEN, BABIES IN UTERO, WHATEVER, WHEN IT COMES TO THESE

14 TOXINS THAT WE'RE TALKING ABOUT? AND I WOULD LIKE TO

15 KNOW WHAT HAS BEEN DONE BY AQMD SINCE THE REQUEST FOR THE

16 HEARING FOUR MONTHS AGO?

17 MR. NAZEMI: MA'AM, IF I CAN INTERRUPT YOU.

18 HAVE YOU FILLED OUT ONE OF THESE CARDS?

19 MS. SARNOFF: I HAVE.

20 MR. NAZEMI: I APPRECIATE THAT.

21 MS. SARNOFF: WILL YOU BE ANSWERING QUESTIONS?

22 MR. NAZEMI: ABSOLUTELY. BUT I JUST WANTED TO

23 KNOW IF YOU HAVE ANY QUESTIONS THAT ARE DIRECTLY RELATED

24 TO THE PRESENTATION. AND I WANT TO CLARIFY WE DO NOT

25 ISSUE 70 TO 80,000 PERMITS PER YEAR. MAYBE THERE WAS A

1 MISUNDERSTANDING. WE REGULATE 25,000 FACILITIES. WE
2 ISSUED IN THE VICINITY OF 10,000 PERMITS. BUT I WOULD
3 LIKE TO HAVE YOU COME BACK IF YOU DON'T MIND. IT LOOKS
4 LIKE YOU HAVE A LOT OF QUESTIONS.

5 MS. PORCHE: SOMEONE ASKED WHAT WAS THE ACTUAL
6 ADDRESS OF THE FACILITY.

7 MR. NAZEMI: WHY DON'T YOU STAND UP?

8 MR. LEWIS: WHEN YOU HAVE TALK ABOUT YOUR
9 VOLATILE ORGANIC COMPOUNDS, NITROGEN OXIDE, THAT SORT OF
10 THING, I WOULD LIKE TO KNOW WHAT IT MEANS? DOES IT CAUSE
11 CANCER? I'M TALKING THOSE TERMS. YOU DON'T HAVE MOSTLY
12 CHEMISTS HERE. WE'RE REGULAR PEOPLE. SO IN HEALTH
13 LANGUAGES DOES IT CAUSE CANCER? THAT WOULD MAKE SENSE TO
14 THIS GROUP. OTHERWISE, YOU'RE TALKING ABOUT CHEMICAL
15 ENGINEERS FOR US TO UNDERSTAND THIS.

16 MR. NAZEMI: VERY GOOD QUESTION. LET ME TAKE A
17 QUICK STAB AT THIS. THE TABLE THAT'S ON PAGE 8, ON THE
18 BOTTOM OF PAGE 8 THAT SHOWS EMISSIONS, AND WE LIST THEM
19 AS VOLATILE ORGANIC COMPOUNDS. SO THESE ARE WHAT'S
20 TYPICALLY REFERRED TO AS CRITERIA POLLUTANTS. CRITERIA
21 POLLUTANTS ARE THE TYPE OF AIR POLLUTANTS THAT BOTH THE
22 STATE AND FEDERAL AGENCIES HAVE ACTUALLY ESTABLISHED
23 WHAT'S CALLED AS AMBIENT AIR QUALITY STANDARDS FOR THESE
24 POLLUTANTS. SO THEY ARE MEASURED BY THE LEVEL OF THESE
25 POLLUTANTS AND THE AMBIENT AIR.

1 NOW, THERE ARE -- THESE ARE TYPICALLY CONSIDERED
2 AS REGIONAL POLLUTANTS BECAUSE SOME OF THESE ACTUALLY
3 COMBINE IN THE ATMOSPHERE TO FORM ANOTHER POLLUTANT THAT
4 YOU MAY HAVE HEARD OF, OZONE. OZONE IS ORDINARY SMOG,
5 AND IT HAS HEALTH EFFECTS ASSOCIATED WITH BREATHING
6 OZONE. SO WHEN YOU'RE TALKING ABOUT VOLATILE ORGANIC
7 COMPOUNDS AND NITROGEN OXIDES, THEY SIT IN THE ATMOSPHERE
8 AND WITH THE PRESENCE OF SUNLIGHT THEY FORM A POLLUTANT
9 CALLED OZONE, WHICH IS ORDINARY SMOG.

10 THE OTHER SLIDE ON TOP OF PAGE 9, THAT LISTS
11 REPORTED TOXIC AIR CONTAMINANTS. THOSE ARE THE
12 POLLUTANTS THAT ARE TYPICALLY NOT REGULATED BY ANY KIND
13 OF AMBIENT AIR QUALITY STANDARD BECAUSE THEY ARE
14 REGULATED. BUT HOW MUCH RISK DO THEY PRESENT TO THE
15 OPERATION WHEN THESE EMISSIONS ENTER THE AIR? AND PART
16 OF YOUR QUESTION WAS DO THEY CAUSE CANCER OR NOT. TOXINS
17 ARE TYPICALLY THE TYPE OF CHEMICALS THAT -- SOME OF THEM
18 CAN CAUSE CANCER AND THERE ARE OTHERS THAT HAVE -- THEY
19 DON'T CAUSE CANCER, BUT THEY'RE STILL TOXIC BECAUSE THEY
20 HAVE NON-CANCER HEALTH RISKS. THEY CAN AFFECT PEOPLE'S
21 LIVERS. THEY COULD AFFECT OTHER PARTS OF THE ORGANS OF
22 THE BODY.

23 MR. LEWIS: WHICH ONES DO? WHAT DO IT AFFECT IN
24 THE HUMANS?

25 MR. NAZEMI: WE WANT TO PRESENT THAT INFORMATION

1 FOR TOXINS IN A DIFFERENT FORM. BECAUSE AGAIN, THERE IS
2 NO SPECIFIC STANDARD. THE WAY THEY ARE REGULATED IS IF
3 THEY HAVE NON-CANCER HEALTH EFFECTS, THEY'RE REGULATED BY
4 HOW MUCH OF THAT COMPOUND IS IN THE ATMOSPHERE FROM THAT
5 FACILITY. AND FOR FALCON FOAM, THE RISK ANALYSIS --
6 THEY'RE USUALLY DONE THROUGH A RISK ANALYSIS. FOR FALCON
7 FOAM -- I KNOW EVERYBODY WANTS TO ASK QUESTIONS. BUT THE
8 TOXIC EMISSIONS FROM FALCON FOAM THAT ARE
9 NON-CARCINOGENIC, NON-CANCER CAUSING ARE BELOW THE LEVEL
10 THAT ARE CONSIDERED TO HAVE ANY ADVERSE HEALTH EFFECT.

11 ON THE CARCINOGENIC OR CANCER CAUSING EFFECTS,
12 THERE IS NO LEVEL THAT SAYS YOU HAVE ZERO RISK. THERE IS
13 ALWAYS A RISK OF BEING EXPOSED TO A CANCER CAUSING AGENT.
14 ALL OF THE REGULATORY AGENCY THAT'S DEAL WITH THAT
15 THROUGH THE HEALTH RISK ASSESSMENT AND THERE IS A
16 MATHEMATICAL PROCESS THAT THEY CALCULATE WHAT THAT RISK
17 IS. THEY TYPICALLY SAY MORE THAN A ONE IN A MILLION
18 RISK. AND THERE NEEDS TO BE SOME ACTION ASSOCIATED WITH
19 THAT. FOR FALCON FOAM, AGAIN, THE RISK FROM CANCER
20 CAUSING POLLUTANTS THAT COMES FROM THEIR FACILITY IS
21 BELOW ONE IN A MILLION.

22 NOW, HAVING SAID ALL OF THIS, I THINK IT'S FAIR
23 TO TELL YOU WHAT THIS ALL MEANS IN TERMS OF THE REAL
24 LIFE. WE DID A YEAR-AND-A-HALF-LONG STUDY, OUR AGENCY
25 DID THAT, THE MOST COMPREHENSIVE HEALTH STUDY IN THE

1 WHOLE UNITED STATES, AND WE FOUND THAT LOS ANGELES METRO
2 AREA HAS VERY HIGH RISKS ASSOCIATED WITH CANCER CAUSING
3 AIR POLLUTANTS. THE RISK, INSTEAD OF ONE IN A MILLION,
4 IT'S ACTUALLY 1,400 IN A MILLION. AND 70 PERCENT OF THAT
5 IS DUE TO EMISSIONS THAT ARE A RESULT OF BURNING DIESEL
6 FUEL MOSTLY IN TRUCKS, BUSES, VEHICLES.

7 THERE IS ANOTHER 15 PERCENT OF THAT RISK
8 ASSOCIATED WITH OTHER CHEMICALS THAT ARE A RESULT OF
9 BURNING FUEL IN MOBILE SOURCES SUCH AS CARS, TRUCKS,
10 VEHICLES. SO ABOUT 85 PERCENT OF THAT IS DUE TO ALL THE
11 CARS AND FREEWAYS AND TRUCKS AND EVERYTHING THAT IS
12 AROUND US. SO I WANT TO PUT THAT IN PERSPECTIVE.

13 IF THERE ARE ANY MORE QUESTIONS ABOUT THE
14 PRESENTATION, I'LL BE HAPPY TO ANSWER THEM. AND THE
15 ADDRESS FOR THE FACILITY, BY THE WAY, IS 11404 TOWNE,
16 T-O-W-N-E, AVENUE, WHICH IS BEHIND -- ONE BLOCK BEHIND
17 US, SAN PEDRO.

18 MS. STAFFORD: IT'S IN THE ALLEY BEHIND THE
19 SCHOOL. BY THE WAY, MY NAME IS MELISSA STAFFORD, AND I'M
20 WITH THE LAUSD WITH MIKE LANSING'S OFFICE. I HAVE A
21 COUPLE OF QUESTIONS. IN YOUR PRESENTATION YOU SAID THAT
22 THEY WERE -- THE ORGANIZATION OR THE COMPANY WAS
23 NON-COMPLIANT. IS THAT THE SAME THING AS BEING IN
24 VIOLATION OF SOME LAW? AND THEN IF IT IS, IF THEY WERE
25 IN VIOLATION OF SOME LAW, YOU ISSUED A VARIANCE, MEANING

1 THEY HAD A PERMIT TO CONTINUE TO OPERATE. AND HOW DID WE
2 ARRIVE TO IF THEY BREAK A LAW, THEY -- THEN THEY CAN
3 STILL OPERATE TO ISSUING THEM THIS PERMIT? WHO MADE THAT
4 DECISION? AND HOW DID YOU ARRIVE TO THAT?

5 MR. NAZEMI: I'LL ANSWER YOUR QUESTION, BUT IT
6 LOOKS AGAIN WE'RE GOING BACK TO THE COMMENTS RATHER THAN
7 JUST CLARIFYING. THE VARIANCE THAT DAVE MENTIONED IS NOT
8 SOMETHING THAT OUR AGENCY ISSUED. IT WAS ISSUED BY
9 WHAT'S CALLED A HEARING BOARD. THE CALIFORNIA STATE LAW
10 HAS AUTHORIZED FORMATION OF WHAT'S CALLED A HEARING
11 BOARD. IT'S A FIVE MEMBER BOARD, JUST LIKE A GROUP OF
12 JUDGES JUST LIKE YOU CAN SEE IN COURT. IT'S CALLED A
13 HEARING BOARD INSTEAD OF COURT. THE COMPANY WILL PRESENT
14 THEIR CASE, THE DISTRICT HAS AN OPPORTUNITY TO PRESENT
15 THE VIOLATION IN OUR CASE, AND THAT FIVE MEMBER BODY WILL
16 DECIDE OR NOT IF THE COMPANY GETS A VARIANCE OR NOT. SO
17 OUR AGENCY HAS NOT ISSUED --

18 MS. STAFFORD: SO WAS YOUR CASE WEAK WHEN YOU
19 WENT BEFORE THIS HEARING?

20 MR. NAZEMI: THE HEARING BOARD HAS TO MAKE SIX
21 FINDINGS IN ORDER TO ISSUE A VARIANCE. IT'S NOT THAT
22 THAT'S OUR CASE IS WEAK. WE'RE STILL PENDING FOR NOTICE
23 OF VIOLATION. THEY HAVE NOT DECIDED. THEY HAVE NOT TOLD
24 US THAT, BUT THEY HAVE TOLD THE COMPANY THAT THEY WILL
25 GIVE THEM A VARIANCE TO ALLOW THEM TO OPERATE WHILE THE

1 COMPANY COMES BACK INTO COMPLIANCE.

2 MS. STAFFORD: AND JUST THE LAST PART, IF THEY
3 DIDN'T FOLLOW THE LAW THE FIRST TIME, WHAT MAKES YOU
4 THINK THEY WILL NEXT TIME? AND WHAT'S THE PUNISHMENT IF
5 THEY DON'T?

6 MR. NAZEMI: AGAIN, I'M REALLY TRYING TO KEEP
7 THIS MEETING TO THE POINT WHERE WE OPEN IT TO PUBLIC
8 COMMENT. SO I'M GOING TO HOLD THAT QUESTION UNTIL --

9 MS. CASH: THAT'S A DIRECT QUESTION. YOU ASKED
10 IF WE HAD QUESTIONS ABOUT THIS PRESENTATION. AND YES, WE
11 DO. HER QUESTION IS THE EXACT SAME QUESTION THAT I HAD,
12 AND IT'S ABOUT THE PRESENTATION. TURN TO PAGE 8. IF YOU
13 TURN --

14 MR. NAZEMI: I'M GOING TO WAIT TO ANSWER
15 QUESTIONS UNTIL WE GET TO THE PUBLIC COMMENTS.

16 MS. CASH: DO YOU WANT QUESTIONS OR NOT? I
17 GUESS NOT. YOU ASKED IF WE'D LIKE TO ASK QUESTIONS OR
18 COMMENTS ABOUT THE PRESENTATION.

19 MR. NAZEMI: I ASKED FOR CLARIFICATION QUESTIONS
20 ABOUT THE PRESENTATION.

21 MS. CASH: THAT IS A VERIFICATION OR
22 CLARIFICATION ABOUT THIS PROCESS. IT'S A CLARIFICATION
23 DIRECTLY RELATED TO THE PRESENTATION. CAN WE ASK THOSE
24 TYPE OF QUESTIONS?

25 MR. NAZEMI: YOU DEFINITELY CAN ASK THEM. I'M

1 ASKING FOR CLARIFICATIONS QUESTIONS ABOUT THE
2 PRESENTATION.

3 MS. CASH: CAN WE ASK QUESTIONS ABOUT THIS
4 PRESENTATION?

5 MR. NAZEMI: CAN I SAY SOMETHING? I WOULD LIKE
6 TO GIVE THE AUDIENCE AN OPPORTUNITY TO LISTEN TO WHAT THE
7 COMPANY HAS TO SAY. BECAUSE THEY MAY HAVE SOME ANSWERS
8 TO SOME OF THE QUESTIONS. IF IT DOESN'T ANSWER YOUR
9 QUESTION, I'LL BE MORE THAN HAPPY TO STAY AS LONG AS YOU
10 WANT TO ANSWER ANY QUESTIONS YOU HAVE.

11 MS. CASH: AGAIN, IT'S ALL RIGHT TO GET
12 CLARIFICATION ABOUT THIS INFORMATION THAT WAS PRESENTED
13 TO US?

14 MR. NAZEMI: CORRECT.

15 MS. CASH: ON PAGE 9 IT SAYS THAT THE PUBLIC WAS
16 NOTIFIED OF THE PROPOSED PERMIT. THAT SAYS 30 DAYS. HOW
17 WAS THE PUBLIC NOTIFIED?

18 MR. NAZEMI: THE TITLE V PERMIT REQUIRES THAT WE
19 ISSUE A NOTICE IN THE NEWSPAPER FOR ANY FACILITY THAT IS
20 SUBJECT TO OUR TITLE V PERMIT. SO THE NOTICE WAS ISSUED
21 IN THE NEWSPAPER AND IT WAS ALSO DISTRIBUTED --

22 MS. CASH: WHAT NEWSPAPER, SIR? I THINK WE JUST
23 NEED SPECIFICS IF YOU COULD ANSWER THAT.

24 MR. NAZEMI: WE'LL GET THAT FOR YOU.

25 MS. CASH: ALSO IN HERE IT STATES THIS 45 EPA

1 REVIEW WOULD HAVE TO START AGAIN. WHY?

2 MR. NAZEMI: EPA HAS REQUESTED US NOT TO CLOSE
3 THEIR COMMENT PERIOD UNTIL THEY ALSO OBTAINED INFORMATION
4 FROM THIS PUBLIC HEARING. AND THAT'S THE REASON THEY
5 WANTED TO HEAR WHAT THE PUBLIC HAS TO SAY. WE HAVE A
6 TRANSCRIBER HERE THAT IS ACTUALLY RECORDING ALL THE
7 QUESTIONS, AND THAT'S WHY I'M TRYING TO MAKE SURE WE
8 DON'T HAVE THREE PEOPLE TALKING AT THE SAME TIME.

9 MS. CASH: UNDERSTOOD. FINAL QUESTION WAS ON
10 PAGE 9, AGAIN, IT TALKS ABOUT THE AMMONIA THAT'S RELEASED
11 AND ON THE OTHER SIDE IT TALKS ABOUT A COMBINATION OF THE
12 HAP. WHAT IS THE BALANCE THERE? WHAT IS THE MEASURE?
13 IT'S NOT CLEAR WHAT THE MEASURE IS. IT SAYS IT'S IS A
14 COMBINATION OF 25 TONS. IS THAT THE ACCEPTABLE OR WHAT?

15 MR. NAZEMI: OKAY. THAT'S A VERY GOOD QUESTION.
16 BECAUSE IT'S EASY TO CLARIFY. THE 10 TONS IS -- IF THERE
17 WAS A FACILITY THAT ONLY EMITTED ONE HAZARDOUS AIR
18 POLLUTANT, THAT WOULD BE THE THRESHOLD FOR BEING A MAJOR
19 SOURCE. TWENTY-FIVE IS A COMBINATION OF ALL HAZARDOUS
20 AIR POLLUTANTS THAT THE FACILITY EMITS. AND THERE IS A
21 LIST OF 188 HAZARDOUS AIR POLLUTANTS THAT DO NOT GET
22 ADOPTED INTO THE --

23 MS. CASH: 198.7, WHAT DOES THAT RELATE TO?
24 THERE'S NO MEASURE. THERE'S NOTHING TO COMPARE IT --
25 THERE'S NOTHING TO COMPARE WITH IT.

1 MR. NAZEMI: THE 198.7, IF YOU SEE THAT, IT'S A
2 TOTAL NUMBER. SO FOR EACH ONE OF THOSE POLLUTANTS, THE
3 LEVEL OF EMISSIONS OF POUNDS PER YEAR IS COMPARED TO THE
4 10 TONS PER YEAR FOR ONE SINGLE AIR POLLUTANT. AND
5 ACTUALLY, AMMONIA, AS I UNDERSTAND, IS NOT ONE OF THE 188
6 HAZARDOUS AIR POLLUTANTS. BUT EVEN IF YOU LOOK AT THEM
7 INDIVIDUALLY, EACH ONE OF THEM IS LESS THAN 10 TONS. AND
8 IF YOU ADD THEM UP TOGETHER, THEY'RE LESS THAN 25 TONS,
9 BUT THAT WAS JUST AN INFORMATION PIECE. BECAUSE THEY'RE
10 SUBJECT TO A TITLE V PERMIT BECAUSE THEY'RE VOLATILE
11 ORGANIC COMPOUNDS WAS MORE THAN 10 TONS. AND THAT'S HOW
12 THEY BECAME SUBJECT TO THIS PROGRAM.

13 MS. CASH: OKAY. SO THIS INFORMATION -- SO WHAT
14 YOU'RE SAYING, YOU'RE COMPARING POUNDS TO TONS HERE? AND
15 WHAT YOU'RE SAYING, AGAIN, THE POUNDS REPRESENTS WHAT
16 FALCON FOAM EMITS?

17 MR. NAZEMI: CORRECT.

18 MS. CASH: AND THE TONS IS WHAT IS ACCEPTABLE BY
19 THE LAW?

20 MR. NAZEMI: NO. NO. THE TONS -- IF THEY EMIT
21 10 AND 25 TONS, THEY'RE SUBJECT TO THE TITLE V PROGRAM
22 EVEN IF THEY WERE LESS THAN THE -- IF YOU LOOK AT THE
23 PREVIOUS LINE ON THE BOTTOM OF PAGE 8, THERE ARE OTHER
24 THRESHOLDS FOR WHEN THEY WOULD BE SUBJECT TO TITLE V. SO
25 EVEN IF THEY WERE BELOW THOSE NUMBERS, BUT IF THEIR

1 TOXICS WERE OVER 10 OR 25, THEY WOULD STILL BE IN THE
2 TITLE V PROGRAM.

3 MS. JOHNSON: I JUST WANT TO MAKE A
4 CLARIFICATION. AND I'LL BE GIVING A PRETTY DETAILED
5 PRESENTATION LATER BASED UPON MY REVIEW OF THE TITLE V
6 PERMIT. BUT I WANTED TO COMMENT QUICKLY ON WHAT YOU SAID
7 ABOUT THE HEARING BOARD. JUST SO IT'S CLEAR TO PEOPLE
8 THAT ARE HERE TODAY, THE HEARING BOARD IS CALLED THE AQMD
9 HEARING BOARD. AND ITS MEMBERS ARE APPOINTED BY THE
10 GOVERNING BOARD OF THE AQMD. AND THE COURT ROOM -- THE
11 HEARING ROOM IS IN THE AQMD HEADQUARTERS. SO I JUST
12 WANTED TO BE CLEAR THAT WHILE IT'S TECHNICALLY A SEPARATE
13 OPERATION, IT IS VERY MUCH ENTWINED WITH THE AQMD AND
14 THEIR OPERATION.

15 MR. NAZEMI: I THINK THAT IS ALL CORRECT WITH
16 THE EXCEPTION THAT THEY HAVE -- WE HAVE NO CONTROL OVER
17 WHAT HEARING BOARD DECISIONS ARE. AND THEY HAVE A
18 SEPARATE QUASI-JUDICIAL ENTITY BODY THAT -- THEY WILL
19 MAKE THEIR OWN DECISIONS. THEY HAVE IN MANY CASES AGREED
20 WITH THE DISTRICT AND OTHER CASES DISAGREED WITH THE
21 DISTRICT. THE FACT THAT THEY HAVE AN OFFICE IN OUR
22 BUILDING IS NOT BECAUSE WE TELL THEM WHAT DECISIONS TO
23 MAKE OR THEY TELL US HOW TO RUN THE ENVIRONMENTAL
24 PROGRAM. AGAIN, THEY ARE INDEPENDENT. AND IF YOU EVER
25 GET A CHANCE TO COME TO ONE OF THESE HEARINGS, I URGE YOU

1 TO COME AND WATCH THIS. BECAUSE BY NO MEANS IS THERE ANY
2 RELATIONSHIP BETWEEN THE HEARING BOARD IN TERMS OF THE
3 DECISIONS THEY MAKE AND THE DISTRICT. OKAY.

4 MS. CASH: YOU DIDN'T ANSWER MY QUESTION. TO
5 WHAT NEWSPAPER WAS THAT NOTIFICATION PUBLISHED?

6 MR. NAZEMI: I'M SORRY. ACTUALLY IT WAS THE
7 PUBLIC OF LA OPINION AS WELL AS THE DAILY NEWS.

8 MS. CASH: DID YOU SAY LA OPINION?

9 MR. NAZEMI: THE LOS ANGELES DAILY NEWS. WE
10 NORMALLY ARE ASKED BY DIFFERENT COMMUNITIES THAT IF
11 THERE'S A SIGNIFICANT HISPANIC POPULATION IN THAT
12 COMMUNITY, THAT WE ALSO PUT OUR NOTICES IN THE LA OPINION
13 PAPER. BECAUSE WE'VE HAD SITUATIONS WHERE SOME OF THE
14 RESIDENTS OF DIFFERENT COMMUNITIES WERE NOT ABLE TO OR DO
15 NOT READ ENGLISH NEWSPAPERS. SO THAT'S WHY IT WAS IN LA
16 OPINION. IT WAS ALSO IN THE LOS ANGELES DAILY NEWS. WE
17 HAVE A COPY FROM OCTOBER 7TH, 2004. IT WAS THE DAILY
18 NEWS NOTICE OF PUBLIC HEARING PROPOSED TITLE V PERMIT.

19 AND THE OTHER THING WE DO WHEN WE HAVE THESE
20 PUBLIC NOTICES IS THAT WE MAIL THIS TO ANY INDIVIDUAL OR
21 ORGANIZATION WHO HAS INDICATED TO US THAT THEY ARE
22 INTERESTED TO RECEIVE NOTICES ON HEARINGS OF TITLE V
23 PERMITS. AND THOSE ARE -- WE HAVE AT LEAST SEVEN OR
24 EIGHT ENVIRONMENTAL GROUPS THAT HAVE REQUESTED TO GET ALL
25 THE NOTICES FOR ALL THE TITLE V PERMITS. AND THEN FOR

1 INDIVIDUAL FACILITIES, WE HAVE SPECIFIC LISTS.

2 THE OTHER THING I JUST WANT TO QUICKLY MENTION,
3 OUR PUBLIC AFFAIRS OFFICE ACTUALLY DID A DISTRIBUTION OF
4 THE NOTICE FOR THIS MEETING, AND THAT WENT TO A MUCH
5 BROADER GROUP OF PEOPLE. THAT NOTICE THAT WAS IN THE
6 NEWSPAPER FOR THE TITLE V PROPOSED PERMIT --

7 MS. THOMPSON: JUST A QUESTION ON WHO DID THE
8 RISK ASSESSMENT, AND CAN THIS COMMUNITY BE PROVIDED WITH
9 A COPY OF THE RISK ASSESSMENT? AND HOW IS THE FIVE
10 MEMBER HEARING BOARD SELECTED OR APPOINTED? WHO APPOINTS
11 THEM? AND WHAT IS THE TERM THAT THEY SERVE. THANK YOU.
12 THOSE WERE THINGS YOU BROUGHT UP YOURSELF.

13 MR. NAZEMI: OKAY. THE REASON I WANT TO GO
14 THROUGH THE PUBLIC COMMENT PROCESS BECAUSE I WOULD LIKE
15 EVERYBODY TO INTRODUCE THEMSELVES AND GIVE THEIR NAME AND
16 TELL US IF THEY'RE AFFILIATED WITH ANY GROUP OR
17 ORGANIZATION SO WE CAN, AGAIN, GET THAT ON THE RECORD.
18 BUT I WOULD LIKE OUR COUNSEL TO ADDRESS THE QUESTION
19 ABOUT THE SELECTION AND QUESTIONS ABOUT THE HEARING BOARD
20 MEMBERS AND -- I'M SORRY. I'M GETTING OLD.

21 MS. THOMPSON: THE FIRST QUESTION WAS RISK
22 ASSESSMENT.

23 MR. NAZEMI: OKAY. RISK ASSESSMENT. THAT RISK
24 ANALYSIS THAT I MENTIONED WAS DONE BY OUR AGENCY. AND IF
25 YOU'D LIKE TO GET THAT INFORMATION, WE'D BE HAPPY TO

1 PROVIDE THAT TO YOU.

2 MR. OLVERA: THE HEARING BOARD IS MADE UP OF
3 FIVE MEMBERS. THEY ARE APPOINTED BY THE DISTRICT'S
4 GOVERNING BOARD. WE HAVE A GOVERNING BOARD OF 12
5 MEMBERS. AND THE HEARING BOARD HAS SPECIFIC CRITERIA FOR
6 EACH OF THE SEATS ON THE HEARING BOARD. ONE OF THEM -- I
7 DON'T REMEMBER ALL OF THEM. ONE HAS TO BE A MEDICAL
8 DOCTOR, ONE OF THEM HAS TO BE AN ENGINEER, AND ONE OF
9 THEM HAS TO BE AN ATTORNEY I BELIEVE. AND THEN THERE'S
10 TWO OTHERS THAT'S ARE SORT OF AT LARGE THAT ARE PUBLIC
11 MEMBERS REPRESENTING THEIR PUBLIC SEATS. THEIR TERMS ARE
12 FOUR YEARS -- THREE YEARS. I BELIEVE THEY'RE THREE-YEAR
13 TERMS. AND THEY GET APPOINTED OR REAPPOINTED BY OUR
14 GOVERNING BOARD.

15 MR. NAZEMI: IF YOU HAVE QUESTIONS, I'D LIKE TO
16 ASK YOU TO IDENTIFY YOURSELF BECAUSE OUR COURT REPORTER
17 DOESN'T KNOW WHO IS ASKING.

18 MS. THOMPSON: MY NAME IS ELIZA THOMPSON. AND
19 ONE OF THE THINGS, WHEN YOU'RE PUTTING YOUR NOTIFICATION
20 IN TWO PAPERS, LA OPINION AND L.A. DAILY NEWS, YOU NEED
21 TO GO THROUGH ALL THE NEWSPAPERS. THIS IS EXTREMELY
22 IMPORTANT BECAUSE A LOT OF PEOPLE DON'T SPEAK SPANISH. A
23 LOT OF PEOPLE DON'T GET THE DAILY NEWS. WE HAVE -- A
24 VARIETY OF PEOPLE READ THE L.A. TIMES, THE SUN, THE
25 CENTINEL, THE WAVE. YOU NEED TO HIT EVERY COMMUNITY SO

1 IT WILL BE KNOWN WHAT YOU'RE DOING AND THAT WAY YOU DON'T
2 HAVE PROBLEMS.

3 MS. CASH: SO WHAT IS YOUR TRUE PURPOSE IF
4 YOU'RE PUTTING IT IN LA OPINION.

5 MR. NAZEMI: I DON'T WANT TO MISREPRESENT WHAT
6 WE JUST SAID. THE MAIN NEWSPAPER THAT WE USED WAS THE
7 DAILY NEWS. AND ACTUALLY, THAT WAS BASED ON SOME OF THE
8 COMMENTS WE GOT FROM THE COMMUNITIES THAT THEY DON'T LOOK
9 AT THE L.A. TIMES, THEY LOOK AT THE DAILY LOCAL
10 DISTRIBUTION. AND WE TRY TO CAPTURE THE LOCAL PAPER. IF
11 WE PUT AN AD OR NOTICE LA OPINION, THAT WAS NOT THE
12 INTENT THAT THE NON-SPANISH-SPEAKING COMMUNITY HAVE TO GO
13 TO LA OPINION TO GET THE INFORMATION. THE INTENT WAS IF
14 THERE ARE SPANISH-SPEAKING PEOPLE IN THE COMMUNITY, WHICH
15 SOME COMMUNITIES WE DEAL WITH HAVE A LARGE POPULATION OF
16 --

17 MS. CASH: THIS COMMUNITY --

18 MR. NAZEMI: WE NEED TO HAVE ONE PERSON SPEAKING
19 AT A TIME. OTHERWISE, WE'RE NOT GOING TO HAVE AN ORDERLY
20 MEETING.

21 MR. LOFTENIUS: GOOD MORNING. MY NAME IS
22 CHRISTOPHER LOFTENIUS. I'M WITH THE ENVIRONMENTAL HEALTH
23 AND SAFETY FROM THE L.A.U.S.D. I HAVE TWO QUESTIONS.
24 ARE THERE ANY PARTICULAR MATTERS EMITTED FROM THIS
25 FACILITY? AND IF SO, WHAT KIND? AND ALSO, IS IT THE

1 VIOLATION -- THE NOV'S, ARE THOSE BEING ACTIVELY PURSUED
2 BY THE DISTRICT LEGALLY?

3 MR. NAZEMI: THANK YOU. THE QUESTION ABOUT
4 PARTICULAR MATTER EMISSION IS YES, THERE ARE PARTICULAR
5 MATTER EMISSIONS. THEY ARE ONLY ASSOCIATED OR MAINLY
6 ASSOCIATED WITH BURNING NATURAL GAS IN A COMBUSTION
7 DEVICE SUCH AS A BOILER THAT THEY OPERATE AT THE
8 FACILITY. BUT THE REASON IT'S SHOWN AT ZERO BECAUSE THE
9 LEVEL IS VERY SMALL, AND IT'S NOT EVEN CLOSE TO 1 TON PER
10 YEAR. SO IT'S SHOWN AS A ZERO.

11 AND YOUR OTHER QUESTION WITH RESPECT TO THE
12 NOTICE OF VIOLATION, BECAUSE THE UNITED STATES EPA AND
13 OUR AGENCY ARE ACTIVELY PURSUING THE NOTICE OF VIOLATION,
14 WE TYPICALLY DO NOT WANT TO SETTLE THE NOTICE UNTIL WE
15 HAVE REACHED ASSURANCE THAT THE SOURCE IS BACK IN
16 COMPLIANCE. AND THAT'S WHY WE HAVE TAKEN THIS TIME TO
17 PROSECUTE THIS FACILITY THROUGH THE PROCESS. AND THEY
18 HAVE OBTAINED A VARIANCE SO THEY WOULD BE ABLE TO SHOW
19 HOW THEY'RE GOING TO COME INTO COMPLIANCE. BUT WE'RE
20 ACTIVELY PURSUING THAT.

21 MS. EMMANUEL: MY NAME IS SHELLY EMMANUEL. I AM
22 A RESIDENT OF THIS COMMUNITY. I AM SPEAKING NOW BECAUSE
23 I WANT MY VOICE TO BE HEARD BECAUSE I HAVE TO TAKE MY
24 NINE-YEAR-OLD BACK TO THE DOCTOR. SHE'S BEEN RUNNING A
25 FEVER. SHE'S BEEN SICK. HER CLASSMATES HAVE BEEN SICK

1 FOR THE LAST SIX WEEKS. IT COSTS ME \$25 EACH TIME I HAVE
2 TO TAKE HER TO THE DOCTOR. THEY DON'T SEEM TO KNOW WHAT
3 IS GOING ON WITH HER. IT WOULD BE INTERESTING TO KNOW
4 HOW MANY OF YOU LIVE IN COMMUNITIES THAT HAVE TOXICS
5 GOING INTO YOUR FAMILIES EVERY DAY.

6 YOU KNOW, YOU STAND UP HERE AND YOU GIVE US
7 STATISTICS, AND YOU'VE SAID TO US AS A COMMUNITY THAT
8 THIS COMPANY HAS VIOLATED THE LAWS. WELL, I'M SETTING AN
9 EXAMPLE FOR MY NINE-YEAR-OLD TODAY THAT WHEN SHE VIOLATES
10 THE LAW IN MY HOUSEHOLD THAT THERE IS A -- I CAN'T EVEN
11 THINK. SHE HAS TO DEAL WITH HER ACTION.

12 I WANT TO KNOW AS A PARENT OF THIS COMMUNITY WHY
13 ARE WE ALLOWING COMPANIES SUCH AS THIS TO BE SPREADING
14 TOXINS. AND AS A PARENT I HAVE A CONCERN FOR MY CHILD
15 AND OTHER CHILDREN OF THIS COMMUNITY. DO YOU HAVE, SIR,
16 A COMMUNITY -- A COMPANY IN YOUR COMMUNITY THAT PUTS OUT
17 TOXINS? I'D BE INTERESTED TO KNOW. YOU STAND UP HERE
18 AND YOU HAVE YOUR TITLE AND SO FORTH. WELL, I HAVE A
19 RESPONSIBILITY TO MY CHILD. I HAVE A RESPONSIBILITY TO
20 MY NEIGHBORS, YOU KNOW. AND YOU'RE NOT GIVING US WHAT
21 WE'RE LOOKING FOR. AND IT'S A WASTE OF TIME TO BE HONEST
22 WITH YOU.

23 YOU KNOW, I'M VERY ANXIOUS. I'M UPSET I HAVE TO
24 LEAVE NOW TO TAKE MY DAUGHTER, WHO IS SICK ONCE AGAIN, TO
25 THE HOSPITAL. AND IT'S COSTING ME MONEY. AND THEY CAN'T

1 EVEN FIGURE OUT WHAT'S WRONG WITH HER. BUT NOW WE HAVE A
2 COMPANY IN THIS COMMUNITY THAT WE KNOW THAT'S POISONING
3 OUR AIR.

4 MR. NAZEMI: I WANT TO ANSWER YOUR QUESTION
5 BECAUSE I KNOW YOU NEED TO GET OUT OF HERE TO DEAL WITH
6 OTHER OBLIGATIONS. I APPRECIATE YOUR BEING HERE.

7 MS. EMMANUEL: THIS IS COMMITMENT. SHE'S SICK,
8 AND I HAVE TO TAKE HER TO THE HOSPITAL.

9 MR. NAZEMI: I UNDERSTAND THIS, MA'AM. I
10 UNDERSTAND. UNFORTUNATELY WE ALL LIVE IN COMMUNITIES
11 WHERE THERE ARE SOURCES OF AIR POLLUTION AND TOXINS. I
12 ALREADY INDICATED THAT UP FRONT.

13 MS. EMMANUEL: DO YOU PERSONALLY? DO YOU
14 PERSONALLY?

15 MR. NAZEMI: I DON'T LIVE IN THIS COMMUNITY, BUT
16 THE COMMUNITY I LIVE IN ALSO HAS -- I'M SORRY. IF I
17 CAN'T ANSWER YOUR QUESTION, THEN IT WOULDN'T HELP ANYBODY
18 HERE. WE HAVE GONE TO COMMUNITIES, TO DIFFERENT
19 COMMUNITIES AND HELD TOWN HALL MEETINGS AND LISTENED TO
20 THE COMMUNITY CONCERNS. AND WE'VE GONE BACK TO OUR
21 OFFICE, AND WE HAVE TRIED TO ADDRESS THOSE ISSUES TO THE
22 EXTENT THAT WE CAN. I WANT YOU TO KNOW THAT OUR AGENCY
23 HAS LIMITED AUTHORITY. WE ARE NOT -- WE HAVE NO
24 AUTHORITY TO REGULATE MOBILE SOURCES. IF YOU WANTED TO
25 REDUCE TOXIC EXPOSURE, YOU WANTED TO CLEAN -- I'LL TELL

1 YOU THAT 70 PERCENT OF THE AIR POLLUTION IS COMING FROM
2 CARS, TRUCKS, AND THINGS LIKE THAT.

3 NOW, DOES THAT MEAN LET OFF THE STATIONARY
4 SOURCES BECAUSE THERE ARE A SMALLER PERCENTAGE OF THESE?
5 NO. ABSOLUTELY NOT. SO WHAT WE'RE DOING IS REACHING
6 BEYOND OUR AUTHORITY. AND WE GOT TURNED DOWN BY THE
7 FEDERAL GOVERNMENT AND THE FEDERAL COURT THAT THEY SUED
8 US SAYING YOU HAVE NO AUTHORITY TO DO THAT. THERE IS
9 SOME INFORMATION NATALIA IS HOLDING UP TO HELP US GET
10 MORE AUTHORITY SO WE CAN REDUCE SOME OF THE AIR POLLUTION
11 AND TRY TO HELP CLEAN UP SOME OF THE COMMUNITIES.

12 MR. JOHNSON: YES, I HAVE A QUESTION. MY NAME
13 IS LEROY JOHNSON, AND I LIVE IN THE COMMUNITY ALSO. AND
14 MY QUESTION, WHEN YOU ISSUED THIS NOTICE, DID YOU
15 OFFICIALLY ISSUE THE NOTICE TO THESE TWO SCHOOLS IN THIS
16 AREA SO THEY COULD GET PREPARED FOR IT?

17 MR. NAZEMI: WHEN WE ISSUED NOTICE FOR THIS
18 MEETING?

19 MR. JOHNSON: I'M TALKING ABOUT FOR THE MEETING.
20 I'M NOT TALKING ABOUT THE NOTICE THAT YOU PUT IN THESE
21 TWO NEWSPAPERS. DID YOU OFFICIALLY NOTIFY THESE TWO
22 SCHOOLS?

23 MR. NAZEMI: THE NOTICE THAT WAS ISSUED IN THE
24 NEWSPAPER, NO, DID NOT COME DIRECTLY TO THE SCHOOL.
25 HOWEVER, THE NOTICE FOR THIS MEETING WAS PROVIDED TO THE

1 SCHOOLS, AND THAT'S WHY WE WANTED TO HAVE A BROADER
2 COMMUNITY PRESENCE IN THIS MEETING. BECAUSE WHEN WE GOT
3 A REQUEST TO HOLD THIS MEETING, WE AGREED THAT BECAUSE OF
4 THE PROXIMITY TO THE SCHOOL BECAUSE OF THE VIOLATION
5 NOTICE THAT THE COMPANY HAS BEEN ISSUED TO THAT, IT IS
6 APPROPRIATE TO HOLD THIS MEETING. AND THAT'S WHY WE'RE
7 HERE TO LISTEN TO YOUR CONCERNS.

8 MR. JOHNSON: THE REASON I ASK, I BELIEVE IF
9 THIS NOTICE HAS BEEN ISSUED TO THE -- I MEAN OFFICIALLY
10 TO THESE TWO SCHOOLS, YOU WOULD HAVE MORE PARENTS HERE
11 WITH THEIR KIDS TO LET YOU KNOW EXACTLY THE PROBLEM THAT
12 THEIR KIDS ARE FACING.

13 MR. NAZEMI: I'M SORRY THAT THE NOTICE FOR THIS
14 MEETING -- AND NATALIA, I'M LOOKING AT YOU BECAUSE THE
15 PUBLIC AFFAIRS -- OUR PUBLIC AFFAIRS OFFICE HAS A PROGRAM
16 WHERE THEY GO OUT WHEN WE HAVE A MEETING LIKE THIS AND
17 NOTIFIES THE COMMUNITY ABOUT THE MEETING. THE NOTICE FOR
18 THIS MEETING, THE NOTICE WE'RE TALKING ABOUT, TITLE V,
19 THAT WAS ISSUED IN THE NEWSPAPER FOR PEOPLE TO COME TO
20 THIS MEETING. THANK YOU.

21 MS. KNIGHT: GOOD MORNING. MY NAME IS ZELLA
22 KNIGHT. AND I BELIEVE IN ONE THING, AND THAT'S CUTTING
23 TO THE CHASE. MY QUESTION IS THIS. WILL FALCON FOAM GET
24 THE PERMIT? BECAUSE AS YOU CAN HEAR, THIS COMMUNITY IS
25 IN OPPOSITION OF THAT. MY QUESTION IS WILL FALCON FOAM

1 GET THE PERMIT?

2 MR. NAZEMI: THANK YOU. AND I CAN'T ANSWER YOU
3 TODAY BECAUSE I'D LIKE TO LISTEN TO EVERYBODY'S COMMENTS
4 BEFORE WE ANSWER THAT. THE ONLY THING IS I'D LIKE TO LET
5 YOU KNOW THAT THE PERMIT THAT IS BEING DISCUSSED HERE IS
6 NOT THE PERMIT THAT WOULD ALLOW FALCON FOAM TO OPERATED
7 OR NOT. AS I MENTIONED, WE'VE HAD A PERMITTING PROGRAM
8 BACK TO THE 1940S. THEY ALREADY HAVE A LOCAL PERMIT.
9 WHAT THAT PERMIT DOES IS ACTUALLY PROVIDE A GREATER
10 COMPLIANCE RESPONSIBILITY ON THE FACILITY. SO ON ONE
11 HAND IF THEY DID GET THIS PERMIT, WHAT IT DOES, IT ALLOWS
12 THE CITIZENS TO BRING CASES AGAINST THE COMPANY. IT
13 ALLOWS THE FEDERAL GOVERNMENT TO BRING CASES AGAINST THE
14 COMPANY IN ADDITION TO ALLOWING US TO TAKE ENFORCEMENT
15 ACTION. SO THE DECISION IS NOT MADE WHETHER WE ISSUE
16 THIS PERMIT OR NOT.

17 MS. THOMPSON: I WOULD JUST LIKE TO KNOW DO YOU
18 REALIZE HOW MANY STUDENTS AND MAYBE TEACHERS HAVE LOST
19 THEIR LIVES WITHIN THE LAST YEAR DUE TO TOXIC WASTE? I'M
20 ASSUMING THAT'S WHAT IT IS. THERE HAS BEEN A LOT OF
21 STUDENTS AND A LOT OF -- THE PRINCIPAL HAS DIED IN THE
22 LAST YEAR. THAT'S WHY YOU ALL ARE OUT HERE TODAY.

23 MR. NAZEMI: THANK YOU.

24 MR. LYOU: I WOULD JUST REALLY LIKE TO CLEAR
25 SOMETHING UP. AND IT SEEMS -- JOE LYOU, CALIFORNIA

1 ENVIRONMENTAL RIGHTS ALLIANCE. IT SEEMS TO ME THAT
2 YOU'RE CONFUSING TWO DIFFERENT TYPES OF NOTICE. AND I
3 WANT TO CLEAR THIS UP. IT'S MY UNDERSTANDING, -- AND WE
4 REQUESTED AND RECEIVED WHAT WAS -- WHAT WE WERE TOLD WERE
5 ALL THE RECORDS THAT HAVE TO DO WITH THIS PARTICULAR
6 PERMITTING ACTION FOR THIS FACILITY, ALL OF THE RECORDS
7 THAT WERE IN YOUR POSSESSION. AND IN THOSE RECORDS IT
8 INDICATED TO US THAT WHEN YOU ISSUED NOTICE OF THE
9 AVAILABILITY OF THE DRAFT PERMIT FOR PUBLIC COMMENT
10 YOU'VE GONE THROUGH TWO NOTICING PERIODS.

11 OKAY. THE FIRST NOTICE WAS THE AVAILABILITY OF
12 THE DRAFT PERMIT TO COMMENT ON THE PERMIT. THE SECOND
13 WAS OF THIS HEARING. THAT WAS THE SECOND NOTICE THAT
14 WENT OUT. THE FIRST NOTICE THAT YOU SENT OUT, ACCORDING
15 TO YOUR OFFICE, ONLY WENT OUT TO LA OPINION. I JUST WANT
16 TO MAKE THIS CLEAR. THAT IS WHAT WE FOUND.

17 THE SECOND NOTICE YOU SENT OUT WENT TO LA
18 OPINION AND THE DAILY NEWS. THE DAILY NEWS IS BASED IN
19 THE SAN FERNANDO VALLEY AND IS NOT READ BY PEOPLE WHO
20 LIVE IN THIS COMMUNITY. THE DAILY BREEZE MIGHT HAVE BEEN
21 A BETTER CHOICE, BUT THE DAILY NEWS IS NOT THE RIGHT
22 PAPER TO PUBLICIZE A MEETING IN THIS COMMUNITY.

23 SO I JUST WANTED TO MAKE SURE -- YOU HAVE
24 REPEATEDLY SAID YOU HAVE PUBLICIZED THE PERMIT
25 NOTIFICATION IN THE DAILY NEWS. YOU DID NOT DO THAT.

1 YOU ONLY PUBLICIZED THAT IN LA OPINION. ACCORDING TO
2 YOUR RECORDS, THERE WAS NO ANNOUNCEMENT IN THE DAILY
3 NEWS, AND ALSO ALL THE RECORDS THAT WE REVIEWED.

4 MR. NAZEMI: THANK YOU, JOE. I WILL PERSONALLY
5 LOOK INTO THAT.

6 MS. BOLDEN: EXCUSE ME. MY NAME IS MONIQUE
7 BOLDEN. I HAVE A CHILD THAT ATTENDS HERE. AND MY THING
8 IS WHAT WILL IT TAKE FOR -- EVERYTHING IS ON A
9 STANDSTILL. IT'S LIKE YOU GUYS ARE STUCK. YOU'RE JUST
10 NOW INVOLVING US. AND THIS HAS BEEN AN ISSUE HERE SINCE
11 2000 OR MAYBE 2001, AND NOBODY HAS HEARD US. I KNOW THAT
12 PARENTS HAVE REACHED OUT, REACHED OUT TO YOU GUYS FOR A
13 LONG TIME. WHAT IS IT GOING TO TAKE FOR ONE OF OUR KIDS
14 TO LITERALLY FALL OUT IN THAT YARD OVER THERE IN THE PLAY
15 AREA OR ONE OF THOSE KIDS OVER THERE IN DI-3 THAT MAY
16 HAVE RESPIRATORY EQUIPMENT OR WHATEVER ELSE?

17 ARE OUR KIDS STATISTICS? LIKE, YOU DO RESEARCH
18 AND YOU DO FINDINGS ON CARBON MONOXIDE. OUR KIDS,
19 THEY'RE YOUR STATISTICS. IF THEY FALL DOWN OVER THERE
20 AND THEY'RE GOING TO DO AN AUTOPSY AND THEN YOU FIND OUT
21 IT WAS ALL THESE THINGS. EXCUSE ME. I'M VERY IRRITATED.
22 BECAUSE YOU GUYS, YOU'RE INVITING US TO MAKE QUESTIONS
23 AND THEN YOU'RE CLOSING THE DOOR. YOU'RE SAYING WE'LL
24 TALK ABOUT THAT LATER. YOU'RE PUSHING US ASIDE. YOU'RE
25 NOT GIVING US ANSWERS TO ANYTHING.

1 AND MY SON COMES HERE EVERY DAY. HE COMES HOME
2 WITH A IRRITATIONS. HE COMES WITH HEADACHES. I HAVE
3 ASTHMA. I HAVE BREATHING PROBLEMS FROM COMING OVER HERE.
4 WHAT IS IT GOING TO TAKE? IS IT GOING TO ONE OF THE KIDS

5 TO WIND UP DEAD IN THAT PLAY AREA OVER THERE OR ONE OF
6 THOSE BUNGALOWS OVER THERE. AND YOU GUYS HAVE BEEN WELL
7 AWARE OF THIS PROBLEM FOR QUITE SOME TIME THAT THAT IS
8 TOO CLOSE TO HOME FOR THE NEIGHBORHOOD AND FOR THESE
9 KIDS. AND ONCE AGAIN, MY NAME IS MONIQUE BOLDEN.

10 MR. NAZEMI: THANK YOU FOR YOUR COMMENT. I'M
11 GOING TO ASK THAT YOU HOLD YOUR COMMENTS IF YOU MAY.
12 BECAUSE I FEEL LIKE WE NEED TO GIVE THE COMPANY A SHORT
13 TIME TO GIVE THEIR PRESENTATION.

14 YOU'RE THE LAST PERSON. AND I'LL LET YOU MAKE
15 YOUR COMMENT, BUT I DO WANT TO ADDRESS SOME OF THESE
16 ISSUES. AS I SAID, I WOULD URGE YOU TO USE THE
17 1-800-CUT-SMOG TO LET US KNOW WHAT THE CONCERNS ARE.
18 BECAUSE IF YOU DON'T CALL US, -- WE HAVE A LOT OF
19 FACILITIES, AND WE HAVE LIMITED STAFF. AND OUR BUDGET IS
20 BEING CUT EVERY DAY. AND WE ARE HERE TO TELL YOU THAT
21 YOU HAVE DONE AN EXCELLENT JOB, BUT WE WOULD LIKE TO HAVE
22 YOUR CORPORATION IN ORDER FOR US TO BE ABLE TO DO OUR
23 JOB.

24 AND I'M LOOKING AT THE RECORDS FOR THIS FACILITY
25 THIS YEAR, AND WE'VE HAD ONE PHONE CALL ABOUT COMPLAINTS

1 ABOUT THE COMPANY. AND FOR THE LAST THREE YEARS WE'VE
2 HAD THREE PHONE CALLS. SO WHEN YOU SAY THAT, I
3 APPRECIATE WHAT YOU SAID. AND I'M NOT DISAGREEING WITH
4 YOU, BUT I'D LIKE TO TELL YOU WE NEED YOUR HELP IF THERE
5 ARE ISSUES IN THE COMMUNITY SO THAT WE CAN ADDRESS THESE
6 ISSUES.

7 MS. BOLDEN: MONIQUE BOLDEN. SINCE YOU SAID YOU
8 ONLY HAD THREE CALLS IN THE PAST THREE YEARS, HOW MANY OF
9 THEM DID YOU TAKE THE TIME TO CALL? DID YOU CALL ONE
10 BACK? DID YOU CALL TWO BACK OR WHATEVER ELSE? PEOPLE
11 HAVE ISSUES. I DON'T CARE IF YOU JUST GOT ONE PHONE
12 CALL. YOU GOT COMMON SENSE. YOU GOT KIDS, SIR. YOU
13 KNOW IT'S TOXIC OVER THERE. I HAVE BEEN COMING TO THIS
14 SCHOOL SINCE 2000. AND INHALING THOSE FUMES I HAVE
15 ASTHMA. I DON'T KNOW IF IT'S IN MY SYSTEM. I KNOW IT'S
16 IN MY SON'S SYSTEM. HE COMES HOME, HE'S NOT AS PLAYABLE.
17 HE'S NOT HIMSELF. I'M TAKING HIM TO THE DOCTOR FOR EYE
18 IRRITATION AND THIS, THAT. HIS BREATHING IS OFF AND
19 STUFF. IT'S BECAUSE OF THIS AREA THAT'S OVER HERE.

20 I DON'T SEE HOW YOU SIT UP HERE AND EVEN
21 CONSIDER GIVING THOSE PEOPLE THIS PERMIT. DON'T TRY TO
22 -- GIVE ME JUST A LITTLE BIT OF TIME. DON'T TELL ME
23 LET'S WAIT. BECAUSE I THINK WE WAITED TOO LONG AS IT IS.
24 AND LIKE I SAID, WHAT IS IT GOING TO TAKE? IS IT GOING
25 TO TAKE ONE OF THOSE BABIES LAYING UP IN THAT YARD AND

1 THE JANITOR OR SOMEBODY COMES AND FINDS THOSE KIDS OUT
2 THERE IN THAT YARD. BECAUSE IT'S HAZARDOUS. THE KIDS
3 ARE SAFER AT HOME RATHER THAN BEING OUT THERE IN THAT
4 YARD. SO I'M STICKING TO IT. YOU'RE WAITING TO LONG.
5 YOU HAVEN'T DONE ANYTHING FOR US.

6 YOU'RE TALKING ABOUT THREE CALLS. HOW MANY OF
7 THOSE CALLS HAVE YOU ACTUALLY CALLED BACK TO FOLLOW UP
8 ON. AND ANOTHER THING, YOU HAVEN'T INVOLVED US LITERALLY
9 LIKE YOU SHOULD HAVE. YOU HAVE NOT INVOLVED US. YOU
10 HAVEN'T GOTTEN THE WORD OUT TO US APPROPRIATELY FOR US TO
11 COME HERE AND FUNCTION OR TRY TO HELP YOU GUYS WITH
12 ANYTHING. YOU GOT TO GIVE A LITTLE TO GET A LITTLE.
13 FAIR EXCHANGE IS NO ROBBERY. OUR BABIES ARE HUMAN
14 BEINGS. ARE THEY REALLY GETTING A CHANCE AT THEIR LIFE?
15 BECAUSE YOU ARE ENDANGERING THEM, AND YOU ARE AWARE OF
16 IT. THINK OF YOUR KIDS AS YOUR KIDS. I REST MY CASE.

17 MS. NAZEMI: MA'AM, WE HAVE RESPONDED TO EVERY
18 ONE OF THOSE PHONE CALLS THAT HAVE COME TO US. WHAT WE
19 HAVE DONE IN THE LAST CALENDAR YEAR, WE HAVE MADE 45,000
20 INSPECTIONS AT ALL THE FACILITIES IN OUR JURISDICTION.
21 WE HAVE RECEIVED 80,000 COMPLAINTS. WE MAY NOT HAVE
22 RESPONDED TO EVERY SINGLE ONE OF THEM, BUT I CAN
23 GUARANTEE YOU 90 PLUS PERCENT OF THOSE HAVE BEEN
24 RESPONDED TO. THEY HAVE BEEN INVESTIGATED.

25 I'D LIKE YOU TO LOOK AT ONE OTHER AGENCY, NOT

1 JUST HERE, THROUGHOUT THE STATE, THROUGHOUT THE COUNTRY
2 THAT HAS RESPONDED TO COMMUNITY CONCERN THE WAY WE HAVE.
3 AND I AM TELLING YOU AGAIN, I AM SORRY TO SAY, THAT ONE
4 OUT OF EVERY FIVE KIDS IN OUR COMMUNITY HAS ASTHMA. IS
5 THAT A GOOD STATISTIC? ABSOLUTELY NOT. AND WE'RE
6 STRIVING TO DO OUR BEST, BUT OUR HANDS ARE LIMITED
7 BECAUSE WE DON'T HAVE CONTROL OVER THE LARGEST PORTION OF
8 EMISSION THAT COMES FROM MOBILE SOURCES.

9 WE'RE NOT ALONE GOING TO BE ABLE TO SOLVE THAT
10 PROBLEM. WE'D LOVE TO DO THAT, BUT WE NEED THE HELP FROM
11 THE OVERSIGHT AGENCY SINCE AS STATE RESOURCES WE NEED
12 OVERSIGHT, SUCH AS FEDERAL ENVIRONMENTAL PROTECTION
13 AGENCY. THOSE ARE THE AGENCIES THAT CAN CONTROL THE
14 LARGEST SOURCES.

15 NOW, AGAIN, I'M NOT SAYING THAT TO TRY TO SHED
16 RESPONSIBILITY. I'M TELLING YOU THAT I AGREE WITH YOU.
17 WE NEED TO REDUCE THE HEALTH EFFECTS OUR CHILDREN IN THIS
18 REGION HAVE BEEN SUFFERING. OUR ADULTS, ELDERLY, THOSE
19 THAT ARE SENSITIVE TO OUR POLLUTION HAVE SUFFERED TOO.
20 BUT I DON'T WANT TO MAKE THIS INTO A NICE SPEECH ABOUT
21 WHAT NEEDS TO BE DONE. I'D LIKE TO COME BACK TO THAT
22 FACILITY --

23 MS. CASH: WE AGREE WITH THAT.

24 MS. IVEY: FIRST, MY NAME IS DORIS IVEY. I LIVE
25 IN THE NEIGHBORHOOD. I'M A CHRONIC ASTHMATIC. AND I'M

1 GOING SOMETIMES AT 2 AND 3 O'CLOCK IN THE MORNING TO THE
2 HOSPITAL THINKING MANY TIMES THAT I'LL NEVER RETURN. IN
3 FACT, I'M NOT REALLY SUPPOSED TO BE HERE BECAUSE MY
4 DOCTORS HAVE TOLD ME THAT I'M NOT SUPPOSED TO BE IN
5 CROWDS WHERE I COULD BE SUBJECT TO A COLD BECAUSE IT
6 COULD BE FATAL.

7 SO WHAT I'M SAYING IS I'VE READ A LOT OF BOOKS.
8 I'VE BEEN ON MEDICATION. I'VE DONE A LOT. THIS IS A
9 SERIOUS PROBLEM. YOU GET TO THE PLACE WHERE YOU CAN'T
10 BREATHE. YOU THINK YOU'RE GOING TO DIE. SO WE DO HAVE A
11 SERIOUS PROBLEM IN OUR AREA. AND I HOPE THAT YOU PEOPLE
12 WILL TAKE IT SERIOUSLY.

13 MR. NAZEMI: THANK YOU. AND WE'LL TAKE THAT
14 DEFINITELY INTO CONSIDERATION.

15 AT THIS POINT I WOULD ASK THAT FALCON FOAM MAKE
16 A QUICK PRESENTATION, AND WE'LL OFFICIALLY GO TO THE
17 COMMENTS AGAIN.

18 MR. COLEMAN: I'M NOT GOING TO DO THE FULL
19 PRESENTATION BECAUSE I THINK THE PEOPLE REALLY WANT TO
20 GET TO THE COMMENTS PART. AS YOU KNOW FROM THE DISTRICT
21 PRESENTATION -- WELL, FIRST OF ALL, I'M CURT COLEMAN.
22 I'M HERE TODAY FROM FALCON FOAM TODAY WITH ROGER OGAWA,
23 WHO IS THE OPERATIONS MANAGER FROM FALCON FOAM, AND MIKE
24 BUCKANTZ, WHO IS A PRIVATE CONSULTING AIR QUALITY
25 ENGINEER WHO WORKS WITH FALCON FOAM ON ITS ENGINEERING

1 AND COMPLIANCE ISSUES AT THE FACILITY.

2 JUST A BRIEF BACKGROUND. FALCON FOAM HAS BEEN
3 AT THE TOWNE AVENUE LOCATION SINCE 1977. IT EMPLOYS
4 ABOUT 120 PEOPLE VIRTUALLY ALL OF WHOM LIVE ABOUT IN A
5 15-MILE RADIUS OF THE FACILITY. FALCON FOAM WAS ONE OF
6 THE EARLIEST FOAM PRODUCERS TO INSTALL VOC EMISSION
7 CONTROL EQUIPMENT TO REDUCE EMISSION FROM THE FACILITY.
8 AS THE DISTRICT INDICATED, IT MAKES EXPANDED POLYSTYRENE
9 FOAM COMMONLY USED FOR FOAM COOLERS THAT YOU SEE, THE ICE
10 CHESTS YOU CAN BUY AT THE SUPERMARKET.

11 FALCON FOAM MAKES LARGE BLOCKS THAT ARE THEN CUT
12 UP AND SOLD FOR USE AND INSULATION IN ROOFS OR WALLS OR
13 REFRIGERATED TRAILERS, THINGS LIKE THAT. THE RAW
14 MATERIAL THAT IT STARTS WITH IS -- IT LOOKS LIKE SUGAR.
15 THEY'RE LITTLE TEENY BEADS. THEY'RE CALLED RAW BEADS
16 THAT HAVE IN THEM SOME QUANTITY OF PENTANE.

17 NOW, WHAT IS PENTANE? IT'S A GAS. YOU'RE
18 PROBABLY MOSTLY FAMILIAR WITH SOME OF THE OTHER SIMILAR
19 GASES SUCH AS METHANE ETHANE WHICH IS COMMONLY IN NATURAL
20 GAS THAT YOU USE IN YOUR STOVE OR YOUR BURNER OR IN YOUR
21 HEATERS AND WATER HEATERS AT HOME. THERE IS ONE. THE
22 NEXT ONE ETHANE IS PROPANE, WHICH SOME PEOPLE USE IN
23 PLACES WHERE THEY CAN'T GET NATURAL GASES BECAUSE IT CAN
24 BE LIQUID AND TRANSPORTED MORE EASILY. THE NEXT ONE IS
25 BUTANE. IT'S USED AS A FUEL FOR WATER HEATERS AND

1 FURNACES, AGAIN, IN AREAS WHERE NATURAL GAS IS NOT
2 AVAILABLE. AND THE NEXT ONE UP FROM BUTANE IS PENTANE.
3 PENTANE AS INDICATED IS NOT CONSIDERED CARCINOGENIC. IT
4 IS NOT LISTED ON THE DISTRICT'S LIST OR EPA LIST OF TOXIC
5 AIR CONTAMINANTS. IT IS REGULATED BECAUSE WHEN IT GOES
6 INTO THE ATMOSPHERE AND REACTS OVER A PERIOD OF TIME WITH
7 NITROGEN OXIDE IN THE PRESENCE OF SUNLIGHT, IT FORMS
8 OZONE OR SMOG.

9 ABOUT -- WELL, PROBABLY AS RECENTLY AS FIVE OR
10 SIX OR SEVEN YEARS AGO, MOST OF THE COMPANIES THAT MAKE
11 EXPANDED POLYSTYRENE FOAM PRODUCTS USED RAW MATERIALS OR
12 THE BEADS THAT CONTAINED ABOUT 6 TO 7 PERCENT, 7 AND A
13 HALF TO 7 PERCENT PENTANE. AND WHAT HAPPENS IN THE
14 PROCESS IS WHEN YOU HEAT UP THESE BEADS TO EXPAND THEM
15 AND THEN MOLD THEM, THIS PENTANE GETS DRIVEN OFF FROM THE
16 BEADS. AND MOST OF IT AT FALCON AND OTHER FACILITIES ARE
17 CAPTURED IN THE EMISSION COLLECTIONS SYSTEMS AND VENTED
18 INTO A DEVICE THAT BURNS UP THE PENTANE AND DESTROYS IT.

19 OVER THE YEARS, FALCON HAS BEEN A LEADER IN
20 REDUCING OR INCREASING THE AMOUNT OF LOW PENTANE CONTENT
21 IT USES. SO RIGHT NOW THE AVERAGE PENTANE IS ABOUT 4 AND
22 A HALF PERCENT. SO WHAT YOU SAW WITH THE DISTRICT'S
23 REPORTED EMISSION, THE BIG DECREASE FROM 50 DOWN TO 20
24 TONS PER YEAR, A LARGE PART OF THAT OR PROBABLY MOST OF
25 IT IS ATTRIBUTABLE THAT THEY'RE USING BEADS THAT CONTAIN

1 LESS PENTANE.

2 I THINK ONE OF THE BIG ISSUES THAT HAS BECOME
3 OBVIOUS HERE TODAY IS THE ISSUE OF THE NOTICES OF
4 VIOLATION AND THE VARIANCE. SO I THINK MAYBE RATHER THAN
5 SPEND A WHOLE LOT OF TIME TALKING ABOUT OTHER PARTS OF
6 THE OPERATION AND OTHER ISSUES WITH DIFFERENT RULES AND
7 WHAT RULES APPLY AND THINGS LIKE THAT, I'D LIKE TO GIVE
8 YOU A LITTLE HISTORY OF FALCON FOAM WITH THE VARIANCE.

9 FALCON FOAM HAD BEEN CONSIDERED TO BE IN
10 COMPLIANCE WITH THE DISTRICT'S RULE ELIMINATING EMISSIONS
11 FROM THESE TYPES OF OPERATIONS SINCE THE EARLY 1990S.
12 THAT'S WHEN THE RULE WENT INTO EFFECT THAT REQUIRED
13 EMISSION CONTROL DEVICES. AND FALCON STARTED PUTTING
14 THOSE IN OVER AT THE FACILITY WHILE THE DISTRICT WAS
15 DEVELOPING ITS RULE. SO EVEN BEFORE THE RULE WAS
16 ADOPTED, FALCON WAS IN THE PROCESS OF PUTTING EMISSION
17 CONTROL EQUIPMENT ON.

18 ONCE THE RULE WAS ADOPTED, FALCON COMPLETED THE
19 INSTALLATION, DID SOME TESTING TO THE EQUIPMENT, AND AT
20 THAT TIME BOTH FALCON AND THE DISTRICT BELIEVED THE
21 COMPANY WAS IN COMPLIANCE.

22 OVER THE YEARS FALCON FOAM ADDED SOME ADDITIONAL
23 EQUIPMENT, PUT IN NEW TYPES OF EQUIPMENT THAT WORK BETTER
24 TO CUT DOWN ON THE AMOUNT OF NITROGEN OXIDE EMISSIONS.
25 AND EACH TIME THAT THEY DID THAT, THEY HAD TO ESTABLISH

1 THAT THE SATISFACTION TO THE DISTRICT THAT THEY WERE IN
2 COMPLIANCE WITH THE DISTRICT'S RULES.

3 IN THE LATE '90S, THEY PUT A NEW APPLICATION IN,
4 AND THE DISTRICT REQUIRED THEM TO DO SOME TESTING TO
5 ESTABLISH THAT IN FACT THEY WERE IN COMPLIANCE WITH THE
6 DISTRICT'S RULES. SO THE DISTRICT DID WHAT'S CALLED A
7 SOURCE TEST. AND THAT TEST DID -- IN FACT, IT WAS DONE,
8 COMPLETED, TURNED IN, AND IT DID IN FACT SHOW THEY WERE
9 IN COMPLIANCE WITH THE DISTRICT RULES.

10 AT THE TIME THEY WERE USING A LOW PENTANE BEAD.
11 I BELIEVE IT WAS 3 AND A HALF PERCENT PENTANE CONTENT
12 BEAD, AND THE DISTRICT LOOKED AT THAT. AND I KNOW
13 THERE'S BEEN A LOT OF COMMENT HERE TODAY ABOUT HOW CAN
14 YOU LET THESE GUYS BY ON YOU AND HOW CAN YOU LET THEM DO
15 THIS. THIS IS AN ORGANIZATION THAT REALLY PAYS CLOSE
16 ATTENTION TO EVERYTHING THAT'S GOING ON. THEY REGULATE
17 US VERY STRINGENTLY, LOOKED AT THE SOURCE TEST AND LOW

18 PENTANE BEAD. THEY SAID WELL, WE CAN'T ASSUME THAT THE
19 RESULTS YOU'RE GOING TO GET AT 3 AND A HALF PENTANE WOULD
20 APPLY TO A 5 AND A HALF OR 6 AND A HALF PENTANE CONTENT
21 BEAD.

22 SO THEY ISSUED A PERMIT WITH A CONDITION THAT
23 LIMITED THE COMPANY TO 4 AND HALF PERCENT OR 4.52
24 PERCENT, WHICH IS SORT OF A SCALE DOWN FROM 3 AND A HALF
25 PERCENT. THEIR OPINION WAS -- THEIR EXPERT ENGINEERING

1 JUDGMENT WAS AS TO THE LEVEL OF -- THE PENTANE CONTENT OF
2 THE BEADS THAT COULD BE USED AND STILL COMPLY WITH THE
3 RULE. AND FALCON LOOKED AT THAT AND SAID, GEE, WE'D
4 STILL LIKE TO USE HIRE PENTANE CONTENT BEADS. SO LET'S
5 GO IN AND DO TESTING. LET'S SEE IF WE CAN GET A VARIANCE
6 FROM THAT CONDITION AND ESTABLISH THAT WE CAN USE HIGHER
7 PENTANE CONTENT BEADS.

8 NOW, WHY DID FALCON SEEK A VARIANCE? FALCON IS
9 NOT THE ONLY FOAM MANUFACTURER HERE IN THE COUNTY. AND
10 ALL ITS COMPETITORS WERE USING 5 AND A HALF, 6 AND A HALF
11 PENTANE BEADS. AND IF FALCON COULDN'T USE THOSE BEADS,
12 IT BASICALLY WOULD BE PUT OUT OF BUSINESS. THAT WOULD
13 MEAN THAT THE 120 PEOPLE EMPLOYED THERE WHO LIVE IN THE
14 AREA HERE WOULD BE OUT OF WORK.

15 WHAT THE HEARING BOARD DID WAS SAY ALL RIGHT.
16 WE'RE GOING TO LET YOU DO THAT AS LONG AS YOU KEEP YOUR
17 EMISSIONS ON A MONTHLY BASIS THE SAME AS THEY WOULD BE.
18 THEY REQUIRED FALCON TO KEEP THEIR AVERAGE PENTANE
19 CONTENT OF THEIR BEADS AT 4.52, WHICH FALCON DID. FALCON
20 DID SOME TESTING THAT INDICATED, YES, USE OF HIGHER
21 PENTANE CONTENT BEADS COULD RESULT IN VIOLATION. BUT IF
22 THEY IF -- THE BEAD, BETWEEN THE TIME IT WAS THE RAW
23 MATERIAL AND THEN THE TIME THAT IT TURNED INTO THOSE
24 LITTLE TINY BUBBLES THAT YOU SEE OVER THERE, IF THESE
25 BEADS WERE AGED FOR 12 HOURS, ENOUGH OF THE PENTANE WOULD

1 COME OFF AND BE COLLECTED BY THE EMISSION CONTROL SYSTEM
2 SO THAT WHEN THEY WERE MOLDED INTO THE FOAM PANEL, IT
3 WOULD COMPLY WITH THE RULE.

4 AND WE DID A WHOLE SERIES OF TESTS AND SUPPLIED
5 THAT INFORMATION TO THE DISTRICT. AND THEY CONCLUDED,
6 ALL RIGHT, ANY BEAD YOU USE IN EXCESS OF 5 AND A HALF
7 PERCENT WOULD HAVE TO BE AGED FOR 12 HOURS. FALCON
8 OPERATED UNDER THAT SCENARIO AND COMPLIED WITH THAT
9 CONDITION. AND THEN THE DISTRICT CAME IN, DID SOME
10 TESTING IN JULY, I BELIEVE IT WAS OF 2003. AND WHAT THEY
11 DO IS COME IN AND TAKE A SAMPLE OF THE BEADS AND TAKE A
12 BLOCK AS IT ROLLS OUT OF THE MOLD AND SLICE IT OPEN AND
13 TAKE SAMPLES OF VARIOUS PARTS TO SEE HOW MUCH PENTANE IS
14 LEFT IN THE BLOCK. AND AS IT TURNED OUT, THE BLOCKS THEY
15 TESTED HAD TOO MUCH PENTANE LEFT IN IT.

16 THE DISTRICT'S RULE ASSUMES ALL OF THAT PENTANE
17 IS GOING TO BE EMITTED. AND BECAUSE THERE WAS TOO MUCH
18 PENTANE IN THAT BLOCK, THE COMPANY GOT A NOTICE OF
19 VIOLATION. WHEN THAT HAPPENED THE DISTRICT HAD ALSO BEEN
20 GETTING INFORMATION FROM OTHER COMPANIES THAT INDICATED
21 VIRTUALLY ALL OF -- WELL, THE OTHER BLOCK MOLDING
22 COMPANIES AND A NUMBER OF THE OTHER MOLDERS WERE ALSO IN
23 VIOLATION OF RULE 1175. THAT SEEMS TO BE AN INDUSTRY
24 PROBLEM, AN INDUSTRY-WIDE PROBLEM.

25 AND THE DISTRICT AND FALCON FOAM AGREED WITH

1 THAT AT THAT TIME THAT CHANGES MIGHT BE APPROPRIATE TO
2 RULE 1175, THAT THEY WOULD BE INVESTIGATING THAT. AND
3 THEY THOUGHT AT BEST THAT ALL OF THE FOAM COMPANIES COME
4 IN AND GET A VARIANCE. FALCON OBTAINED A VARIANCE WITH
5 THE SAME CONDITION THAT THE AVERAGE PENTANE BE 4.52
6 PERCENT, WHICH THEY HAVE COMPLIED WITH.

7 ADDITIONALLY, WHAT FALCON DID UNDER THAT
8 VARIANCE WAS RATHER THAN RISK TRYING OUT BEADS AND RISK
9 BEING CAUGHT OUT OF COMPLIANCE AGAIN, IT UNDERTOOK A
10 PROGRAM OF TESTING THE BEADS THAT IT WANTED TO USE, THE
11 RAW MATERIALS, AND MOLD-TO-MOLD BLOCKS, AND TEST THEM.
12 AND THEY ARE NOT USING ANY RAW MATERIALS.

13 NOW, THAT WOULD RESULT IN THEM EXCEEDING THE
14 REQUIREMENTS OF RULE 1175. IN OTHER WORDS, THEY
15 PREQUALIFIED -- TESTED -- PREQUALIFIED ANY BEADS THEY
16 WANT TO USE SO THAT THE COMPANY BELIEVES THAT THE BEADS
17 THAT IT'S USING NOW AND THE PROCEDURES IT'S FOLLOWING
18 THAT THEY'RE IN COMPLIANCE WITH RULE 1175.

19 NOW, WHY ARE WE STILL UNDER A VARIANCE? THE
20 REASON IS THAT EPA AND THE DISTRICT WANT FALCON TO DO
21 ANOTHER SOURCE TEST TO ESTABLISH THAT HOW MUCH OF THE
22 MATERIAL IS BEING COLLECTED BY THE EMISSION CONTROL
23 EQUIPMENT, HOWEVER, IS BEING DESTROYED. AND WE'RE
24 WILLING TO DO THIS. AND WE'RE HAVING A LITTLE BIT OF A
25 PROBLEM BECAUSE THE EPA THINKS WE SHOULD TEST ONE WAY AND

1 THE DISTRICT THINKS WE SHOULD TEST ANOTHER WAY. AND WE
2 ARE TRYING TO HAMMER OUT A TESTING PROTOCOL, A TESTING
3 METHOD, A PROCEDURE WE'RE GOING TO FOLLOW TO DO THIS TEST
4 THAT IS SATISFACTORY TO BOTH EPA AND THE DISTRICT.

5 AND WE BELIEVE -- IF WE CAN JUST PUT YOUR MINDS
6 AT REST, THE DISTRICT HAS TENTATIVELY CONCLUDED OR PRETTY
7 MUCH CONCLUDED, UNLESS SOMEONE ELSE IN THE INDUSTRY CAN
8 CHANGE THEIR MIND, THAT THEY DON'T THINK ANY CHANGES ARE
9 NECESSARY TO RULE 1175. SO THAT SAME EMISSION LIMIT IS
10 LIKELY TO REMAIN IN EFFECT. SO FALCON FOAM IS NOW IN THE
11 PROCESS OF TRYING TO GET EPA AND THE DISTRICT TO AGREE ON
12 THE APPROPRIATE METHOD TO DO THIS TEST SO THAT WE CAN
13 ESTABLISH THAT IN FACT WE ARE IN COMPLIANCE WITH THE
14 DISTRICT'S RULE.

15 I WOULD -- I KNOW THERE'S A LOT OF CONCERN OUT
16 THERE ABOUT COMMUNITY EXPOSURE TO THE EMISSIONS FROM THIS
17 FACILITY. AND I DON'T THINK ANYONE IN THE AUDIENCE TODAY
18 SHOULD TAKE WHAT I SAY OR WHAT MIKE OR ROGER SAYS OR
19 EVEN, UNFORTUNATELY, WHAT THE DISTRICT SAYS IN TERMS OF
20 IMPACT ON THE COMMUNITY HEALTH OF THE EMISSIONS FROM
21 FALCON FOAM. IF THERE IS -- MAYBE THERE'S SOMEONE AT
22 L.A. UNIFIED, SOME DOCTOR THAT THEY KNOW OF OR HEALTH
23 EFFECTS PERSON WHO COULD LOOK DISPASSIONATELY AT WHAT THE
24 EMISSIONS ARE THAT ARE COMING FROM FALCON FOAM AND WHAT
25 THE CONCENTRATIONS ARE THAT WOULD BE IMPACTING THE

1 COMMUNITY AND PROVIDE YOU WITH SOME OPINION OR
2 INFORMATION ON THAT. I WOULD THINK THAT WOULD BE VERY
3 HELPFUL. BECAUSE WE BELIEVE THAT THE EMISSIONS IN FALCON
4 FOAM ARE NOT CAUSING ADVERSE COMMUNITY IMPACTS. AND I
5 BELIEVE THE DISTRICT BELIEVES THE SAME THING OR THEY
6 WOULDN'T BE ISSUING US A PERMIT. BUT I THINK WE NEED TO
7 DO SOMETHING GOING FORWARD TO SATISFY THE COMMUNITY THAT
8 THAT IS IN FACT THE CASE.

9 AND IS THERE ANYTHING ELSE YOU GUYS WANTED TO
10 ADD? WE'D BE HAPPY TO ANSWER ANY QUESTIONS.

11 MR. NAZEMI: THANKS, CURT. I THINK THERE ARE,
12 AS YOU CAN TELL, A NUMBER OF CARDS FOR SPEAKING. AND
13 THERE IS ONE PERSON THAT NEEDS TO LEAVE, AND THERE MAY BE
14 MORE THAT HAVE ASKED TO GO FIRST. I WANT TO FIND OUT --
15 WE HAVE A LADY IN THE BACK THAT HAS ASKED TO GIVE A
16 PRESENTATION. CAN YOU GIVE ME ROUGHLY HOW LONG THAT IS
17 GOING TO TAKE.

18 MS. JOHNSON: IF I WENT REALLY FAST, I COULD
19 PROBABLY DO IT IN 30 MINUTES. BUT I WANTED TO GIVE A
20 BROAD BACKGROUND ABOUT THE AQMD, ABOUT THE IMPACTS OF THE
21 PENTANE, AND ABOUT THE HISTORY OF THE FACILITY, SO IT
22 TAKES A LITTLE BIT LONGER.

23 MR. NAZEMI: IS THERE ANYBODY ELSE THAT NEEDS TO
24 LEAVE BEFORE MS. MESZAROS GIVES HER PRESENTATION? OR CAN
25 IT WAIT? IF NOT, THEN I WOULD ASK YOU TO GO FIRST TO GET

1 THAT TAKEN CARE OF. THANK YOU. AND A COUPLE OF THINGS,
2 PLEASE INTRODUCE YOURSELVES SO THAT THE RECORDER CAN
3 IDENTIFY WHO THE PERSON IS. ONCE MORE, IF ANYBODY NEEDS
4 TO GET UP AND LEAVE DURING THE PUBLIC COMMENT PERIOD, I
5 WOULD REALLY ASK TO PLEASE LEAVE A CARD IF YOU'RE
6 INTERESTED TO HAVE ANY FOLLOW-UPS ON THE DECISION THE
7 DISTRICT MAKES ABOUT THIS FACILITY. PLEASE FILL OUT THE
8 ROSTER WITH YOUR NAME AND ADDRESS AND PHONE NUMBER IF
9 YOU'D LIKE BEFORE YOU LEAVE SO WE CAN KEEP YOU INFORMED.

10 PLEASE, GO AHEAD.

11 MS. JOHNSON: GOOD MORNING, ALMOST AFTERNOON.
12 I'M ANGELA JOHNSON WITH THE CALIFORNIA ENVIRONMENTAL
13 RIGHTS ALLIANCE. AND I BROUGHT A PRESENTATION THAT I'D
14 LIKE TO DELIVER TO THE DISTRICT STAFF AND TO YOU ALL
15 ABOUT FALCON FOAM. AND I BROUGHT MY OWN AV EQUIPMENT
16 HERE BECAUSE WE HAD SOME DIFFICULTIES AGREEING ON WHOSE
17 EQUIPMENT I WOULD USE. THESE COMMENTS ARE JOINTLY
18 SUBMITTED BY THE CALIFORNIA ENVIRONMENTAL RIGHTS ALLIANCE
19 AND COMMUNITY COALITION FOR CHANGE.

20 I WANT TO GIVE YOU A POLICY CONTEXT FOR THE AIR
21 QUALITY MANAGEMENT DISTRICT OF THIS TITLE V PERMIT. AND
22 WE WENT THROUGH THAT A LITTLE BIT THIS MORNING, SO I'M
23 GOING TO DO THIS QUICKLY. IF PEOPLE WOULD LIKE TO HAVE A
24 COPY OF THIS PRESENTATION, I BROUGHT COPIES OF IT ON THE
25 CD.

1 BROADLY, THE PURPOSES OF THE CLEAN AIR ACT IS --
2 THERE ARE SEVERAL, BUT IN PARTICULAR TO PROTECT AND
3 ENHANCE RESOURCES SO AS TO PROMOTE THE PUBLIC HEALTH AND
4 WELFARE AND THE PRODUCTIVE CAPACITY OF THE POPULATION.
5 AND IN PARTICULAR TITLE V OF THE CLEAN AIR ACT IS
6 SUPPOSED TO BENEFIT THE STATE'S EPA INDUSTRY AND THE
7 PUBLIC BY CLARIFYING WHICH REQUIREMENTS APPLY TO THE
8 SOURCE AND WHETHER THE SOURCE IS COMPLYING WITH THEM.
9 AND THAT'S WHAT WE'VE BEEN TALKING ABOUT HERE TODAY.

10 IDEALLY THIS PERMIT IS TO PROVIDE
11 ACCOUNTABILITY, MORE EFFECTIVE ENFORCEMENT, AND
12 IMPROVEMENTS IN THE AIR QUALITY. UNFORTUNATELY,
13 DR. BURKE, WHO IS CHAIR OF THE SOUTH COAST AIR MANAGEMENT
14 DISTRICT, JUST RECENTLY NOTED THAT THIS YEAR, MEANING
15 2003, THIS YEAR'S BAD SMOG SEASON IN SOUTHERN CALIFORNIA
16 IS THE WORST IN THE LAST HALF DOZEN YEARS. WAKE UP,
17 EVERYBODY WHO WORKS OR DOES BUSINESS IN THE REGION WE
18 LIVE IN. THE REGION -- THE SOUTH COAST AIR QUALITY
19 DISTRICT WORKS IN THE REGION AND FALCON IS DOING BUSINESS
20 IN THE REGION. WE'RE GOING TO WAKE UP.

21 JUST QUICKLY, WE TALKED A LITTLE BIT ABOUT SMOG.
22 SO SMOG IS A COMBINATION OF NOX SOURCES WHICH COME FROM
23 CARS, FROM SOURCES OF VOC, LIKE, FOR EXAMPLE, THE PENTANE
24 THAT WE'VE BEEN TALKING ABOUT COMBINED WITH HEAT AND
25 SUNLIGHT, AND THAT GIVES US SMOG.

1 WHAT ARE THE HEALTH IMPACTS? ACCORDING TO THE
2 STATE RESOURCES BOARD, THE HEALTH IMPACTS OF AIR
3 POLLUTION PER YEAR IN THE CONTRIBUTE TO 6500 PREMATURE
4 DEATHS, 9,000 HOSPITALIZATIONS, 1.7 MILLION RESPIRATORY
5 ILLNESSES INCLUDING ASTHMA, 14.3 MILLION SCHOOL ABSENCES,
6 AND 2.8 MILLION LOST WORK DAYS PER YEAR. AND IN
7 PARTICULAR GROUND LEVEL OZONE, WHICH IS THE SAME THING AS
8 SMOG, CAUSES AGGRAVATED ASTHMA AND POSSIBLY NEW CAUSES OF
9 ASTHMA. AND STUDIES FROM USC DO SHOW THAT IT DOES IN
10 FACT CAUSE ASTHMA, REDUCES LUNG CAPACITY, INCREASED
11 SUSCEPTIBILITY TO RESPIRATORY, AND INCREASES RESPIRATORY
12 OR CARDIOVASCULAR HOSPITALIZATIONS.

13 WHAT IS THE AQMD? THEY'RE THE AGENCY IN THE
14 REGION THAT'S RESPONSIBLE FOR ENFORCING OUR AIR QUALITY
15 LAWS AND FOR WRITING THE TITLE V PERMITS. THE AQMD'S
16 MISSION STATEMENT STATES "THE AQMD BELIEVES ALL RESIDENTS
17 HAVE A RIGHT TO LIVE AND WORK IN AN AREA CLEAN AIR AND IS
18 COMMITTED TO UNDERTAKE ALL NECESSARY STEPS TO PROTECT
19 PUBLIC HEALTH FROM AIR POLLUTION SENSITIVITY TO THE
20 IMPACTS OF ITS ACTION ON THE COMMUNITY AND BUSINESSES."

21 SO THEY WILL TAKE ALL NECESSARY STEPS. THEY
22 ALSO HAVE SOME GUIDING PRINCIPALS ON ENVIRONMENTAL
23 IMPACTS WHICH APPLIES TO PEOPLE OF COLOR AND COMMUNITIES
24 OF COLOR. THE AQMD BELIEVES THAT ALL RESIDENTS THAT LIVE
25 IN THE BASIN HAVE THE RIGHT TO LIVE AND WORK IN AN

1 ENVIRONMENT OF CLEAN AIR FREE OF AIRBORNE HEALTH THREATS.
2 THEY BELIEVE THE GOVERNMENT IS OBLIGATED TO PROTECT THE
3 PUBLIC HEALTH. THE PUBLIC AND PRIVATE SECTORS HAVE THE
4 RIGHT TO PARTICIPATE IN ADEQUATE ENVIRONMENTAL
5 REGULATIONS IN THEIR COMMUNITY, SUCH AS THIS TITLE V
6 PROGRAM. AND THE CIVIC EXPECTATION IS THAT THE PUBLIC
7 AND PRIVATE SECTORS WILL ENCOURAGE PRACTICES THAT
8 CONTRIBUTE TO A HEALTH INCOME AND A TRULY LIVEABLE
9 ENVIRONMENT.

10 SO LET'S TALK A LITTLE BIT ABOUT THE COMMUNITY.
11 THE COMMUNITY SURROUNDING FALCON FOAM IS A COMMUNITY OF
12 COLOR HOSTS A WIDE RANGE OF POTENTIAL AND ACTUAL HAS 98
13 PERCENT WITHIN ONE MILE OF FALCON ARE PEOPLE OF COLOR
14 THERE ARE 4,000 HOUSEHOLDS IN THE AREA. AND SOME 46
15 PERCENT OF THE POPULATION ARE CONSIDERED ESPECIALLY
16 VULNERABLE TO THE IMPACTS OF AIR POLLUTION. WITHIN ONE
17 MILE THERE ARE 11 SCHOOLS, THREE OF THE ST. ALBERT
18 SCHOOLS ACCORDING TO THIS, AND THE TWO NEAR FALCON FOAM,
19 WHICH ARE BANNEKER AND AVALON GARDENS. THEY'RE POINT ONE
20 MILES AWAY. AND HERE'S AN AERIAL OF THE AREA. THAT'S
21 FALCON FOAM. THAT'S BANNEKER. THAT'S AVALON GARDENS.

22 FALCON ISN'T ALONE IN TERMS OF HAVING IMPACTS ON
23 YOUR ENVIRONMENTAL QUALITY. THE STAR REPRESENTS THE
24 LOCATION OF FALCON. AND AS YOU CAN SEE FROM THE GREEN,
25 BLACK, AND BLUE DOTS, THERE ARE MANY SOURCES THAT ARE

1 WITHIN ONE MILE OF THIS FACILITY. THE EPA LISTS SOME 150
2 FACILITIES IN A ONE-MILE RADIUS.

3 SO I'VE GOT FOUR MAIN POINTS TO MAKE IN
4 PARTICULAR ABOUT THE PERMIT. THE DISTRICT MUST DENY
5 FALCON FOAM'S APPLICATION FOR A TITLE V PERMIT BECAUSE
6 FALCON FOAM'S OPERATION DOES NOT COMPLY WITH THE
7 REQUIREMENT OF THE DISTRICT'S RULE. IF THE DISTRICT DOES
8 ISSUE A TITLE V PERMIT TO FALCON FOAM, IT MUST MAKE
9 SIGNIFICANT CHANGES TO THE CURRENTLY PROPOSED PERMIT.
10 ALTHOUGH, CLEARLY WRITTEN PERMITS ARE A CORNERSTONE OF
11 THE TITLE V PROGRAM. YOU REMEMBER THAT'S HOW WE'RE
12 SUPPOSED TO GET INCREASED HELP IN HEALTH AND AIR QUALITY
13 PROBLEMS WITH THE POINT TO A LACK OF RIGOR WHEN DRAFTED
14 TITLE V PERMITS.

15 AND FINALLY, A REVIEW OF THIS PROPOSED DRAFT
16 TITLE V POINTS TO SERIOUS STRUCTURAL PROBLEMS WITH THE
17 DISTRICT'S PUBLIC PARTICIPATION PROCESSES. SOME OF THAT
18 WE TALKED ABOUT IN TERMS OF NOTIFICATION TO THE
19 COMMUNITY.

20 SO HERE'S WHERE WE ARE NOW. HERE'S WHAT THE
21 RULE SAYS. THE RULE SAYS THAT THE EXECUTIVE OFFICER OF
22 THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT SHALL
23 DENY THE APPLICATION IF THE APPLICANT CANNOT SHOW THAT
24 OPERATION UNDER THE PERMIT WILL COMPLY WITH THE
25 REGULATORY REQUIREMENTS UNLESS THEY HAVE A VALID VARIANCE

1 AND THEY'VE SUBMITTED A ENFORCEABLE COMPLIANCE SCHEDULE.
2 I WILL SUBMIT TO YOU THEY HAVE NOT SUBMITTED A COMPLIANCE
3 SCHEDULE, AND THE DISTRICT OUGHT TO DENY THE PERMIT.

4 ARE THEY IN COMPLIANCE WITH THE REGULATION?
5 WELL, ACCORDING TO THE FINDINGS AND DECISION OF THE SOUTH
6 COAST AIR QUALITY MANAGEMENT DISTRICT'S HEARING BOARD,
7 THE PETITIONER FALCON FOAM, IS IN VIOLATION WITH RULE
8 1175. THE PETITIONER -- CURT COLEMAN NOTED THAT THEY HAD

9 REACHED SOME UNDERSTANDING ABOUT THE PENTANE CONTENT IN
10 THE BEAD. THE HEARING BOARD PETITIONER HAD DETERMINED IT
11 COULD COMPLY WITH SUBSECTION 1175, C2, BY AGING BEADS
12 WITH INITIAL PENTANE BITS WITH LESS THAN 12 HOURS.
13 HOWEVER, THE DISTRICT RECENTLY CONDUCTED A TEST IN WHICH
14 IT FOUND FROM SAMPLES OF THE FOAM BLOCK THAT IT DID NOT
15 COMPLY WITH THE LIMITATION. PETITIONER CONCEDES THAT HIS
16 PROCESSES DO COMPLY WITH TERMS SPECIFIED IN THE RULE.

17 THAT PETITION THAT THEY DISCUSSED, ONE IN
18 NOVEMBER OF 2000 AND THIS RECENT TEST THAT THEY ARE
19 POINTING TO, WAS ACTUALLY IN JULY OF 2003. SO DESPITE
20 CLAIMS TO THE CONTRARY IN THE INFORMATION THAT SOUTH COST
21 CIRCULATED WITH THE PETITION, FALCON FOAM HAS ACTUALLY
22 BEEN ISSUED THREE NOTICES; ONE IN JUNE 2003, ONE IN
23 DECEMBER OF 2003, AND THEN A THIRD NOTICE OF VIOLATION
24 ISSUED BY THE U.S. EPA IN MARCH OF THIS YEAR.

25 FALCON FOAM IS NOT OPERATING UNDER A VALID

1 PERMIT. IN FACT, THE CLEAN AIR ACT SAYS THE DISTRICT
2 CAN'T GIVE A VARIANCE TO A TITLE V FACILITY. AND IN
3 FACT, THE U.S. EPA DOES NOT RECOGNIZE VARIANCES. EVEN IF
4 THIS VARIANCE HAD BEEN APPROPRIATE UNDER THE CLEAN AIR
5 ACT, FALCON FOAM'S VARIANCE IS NOT VALID BECAUSE THEY'RE
6 NOT OPERATING IN COMPLIANCE WITH THE CONDITIONS THAT ARE
7 LISTED IN THE VARIANCE.

8 HERE'S A COPY OF THE MINUTE ORDER THAT SAYS THAT
9 THEY NEED TO HAVE BEADS, PENTANE BEADS THAT ARE LESS THAN
10 4.25 PERCENT AVERAGED OVER A CALENDAR MONTH. PRIOR TO
11 MAY, THEY SAID 4.52 PERCENT, AND IN THAT SECOND COLUMN
12 THERE IN THE SECOND COLUMN HERE, THIS IS HOW MUCH PENTANE
13 WAS ACTUALLY IN THE BEADS BASED ON THE RECORDS THAT
14 FALCON FOAM SUBMITTED TO THE HEARING BOARD. AND AS YOU
15 CAN SEE, JANUARY THROUGH AUGUST THEY WERE NOT, IN FACT,
16 IN COMPLIANCE WITH THE VARIANCE CONDITIONS.

17 FALCON FOAM HAS NOT SUBMITTED AN ACCEPTABLE
18 COMPLIANCE PLAN, WHICH WAS THE SECOND PART OF THAT FOR
19 FACILITY. THE RULE DOES ALLOW THEM TO SUBMIT A
20 COMPLIANCE PLAN TO SHOW HOW THEY'RE GOING TO ACHIEVE
21 COMPLIANCE.

22 HERE'S A COPY OF WHAT FALCON FOAM SUBMITTED.
23 HERE'S WHAT THEY'RE SUBMITTING. THEY SUBMIT THAT THEY'RE
24 GOING TO WORK WITH SOUTH COAST TO EASE THE REQUIREMENTS
25 OF RULE 1175. SO, IN FACT, THEY HAVE A PLAN TO STALL AND

1 DELAY AND ARGUE AND THEN THEY'RE WORKING TO EASE THE
2 RULE. WE REJECT THAT APPROACH.

3 RULE 1175 IS A RULE THAT STATES WITHIN 12 MONTHS
4 OF FAILING TO MEET THE REQUIREMENTS, WHICH WE KNOW
5 ALREADY PASSED, THEY SHOULD INSTALL A CONTROL SYSTEM AND
6 MAKE SURE THAT ALL THEIR MANUFACTURING AREA IS VENTED TO
7 THE CONTROL SYSTEM. AND THEN THEY'RE SUPPOSED TO VENT
8 ALL THE -- THEY'RE SUPPOSED TO CAPTURE ALL THE EMISSIONS
9 FROM THE FINAL PRODUCT. AND THEY'RE SUPPOSED TO CONTROL
10 THAT FOR AT LEAST 48 HOURS.

11 THEY SEEM TO HAVE A COLLECTION DEVICE. HOWEVER,
12 ALL THE SOURCES -- ALL THE EMISSIONS SOURCES ARE NOT
13 VENTED. AND IN FACT, THE EPA NOTED IN ITS NOTICE OF
14 VIOLATION THAT FALCON SUBMITTED RECORDS SHOWING
15 FREQUENTLY AND LENGTHY PERIODS WHERE THE CATALYTIC
16 OXIDIZER, WHICH IS THE POLLUTION CONTROL DEVICE WAS NOT
17 OPERATING AS REQUIRED.

18 SECONDLY, FALCON FOAM DOES NOT CAPTURE FROM THE
19 FINAL PRODUCT. IN FACT, THEY WERE CITED IN 2000 FOR
20 STORING FOAM IN THE PARKING LOT. AND AQMD HEARING BOARD
21 SAID THE COST OF CONSTRUCTING AND OPERATING SUCH A SYSTEM
22 WOULD BE PROHIBITED, WHICH IS WHAT THIS IS ABOUT.

23 I DON'T KNOW WHAT AN ACCEPTABLE COMPLIANCE PLAN
24 WOULD ACTUALLY BE, BUT OFF THE TOP OF MY HEAD I TRIED TO
25 JOT SOMETHING DOWN. FALCON FOAM WILL CONNECT ALL THE

1 PIECES OF EQUIPMENT TO THE POLLUTION CONTROL DEVICE AND
2 MAKE SURE THE DEVICE IS WORKING PROPERLY AND
3 CONSISTENTLY. AND THEY'RE TO DO THAT BY DECEMBER OF THIS
4 YEAR. AND FALCON FOAM WILL CAPTURE ALL THE EMISSIONS AND
5 VENT THEM TO APPROVED POLLUTION CONTROL DEVICES BY MARCH
6 OF '05, JUST OFF THE TOP OF MY HEAD.

7 SO ASSUMING FALCON FOAM IS NOT IN COMPLIANCE
8 WITH THE AQMD POLLUTION CONTROL RULES, FALCON FOAM CANNOT
9 SHOW THAT ITS OPERATION UNDER THE PERMIT WILL BE IN
10 COMPLIANCE WITH THE RULES. THEY'RE NOT IN COMPLIANCE
11 NOW. FALCON FOAM'S VARIANCE IS NOT VALID UNDER THE CLEAN
12 AIR ACT. AND FALCON FOAM DOES NOT HAVE A PLAN FOR COMING
13 INTO COMPLIANCE WITH THE RULES.

14 SO MY SECOND MAIN POINT IS IF THE DISTRICT DOES
15 ISSUE A TITLE V TO FALCON FOAM, IT MUST MAKE SIGNIFICANT
16 CHANGES TO THE CURRENTLY PROPOSED PERMIT. I SPENT A LOT
17 OF TIME LOOKING AT THIS PERMIT. FIRST OF ALL, IT WAS
18 REQUIRED THAT FALCON FOAM SUBMIT AN ENFORCEABLE
19 COMPLIANCE SCHEDULE FORM MEETING THE REQUIREMENTS OF THE
20 RULE. IT'S FUNDAMENTAL THAT THEY'VE GOT TO VENT THE
21 EMISSIONS FROM THE FINAL MANUFACTURING PROCESS. AND WE
22 NEED A TIME TABLE WHEN THAT'S GOING TO HAPPEN.

23 IN A LETTER THAT I WROTE TO THE DISTRICT IN
24 WHICH THEY RESPONDED, THE DISTRICT INDICATED THAT THEY
25 WERE GOING TO DELETE A SERIES OF CONDITIONS WHICH

1 CONTROLS HOW MUCH THROUGH PUT OF BEADS THEY CAN DO IN A
2 GIVEN MONTH. AND THEY'VE GOT A COUPLE CONDITIONS IN THE
3 PERMIT ABOUT THAT. THE DISTRICT HAS PROPOSED TO DELETE B
4 359.1 AND 2, BUT MUST ENGAGE IN A STREAMLINING PROCESS.

5 ALTHOUGH THOSE ARE LOWER REQUIREMENTS, THOSE ARE
6 LOWER THROUGH PUT REQUIREMENTS. BUT THERE'S VERY CLEAR
7 GUIDANCE FOR BOTH THE EPA AND DISTRICT ABOUT HOW YOU DO
8 THAT. THEY NEED TO ENGAGE IN A COMPLETE STREAMLINING
9 PROCESS AS OUTLINED IN THE GUIDELINES. IF THEY'RE GOING
10 TO CHANGE THE AMOUNT OF THROUGH PUT, THE DISTRICT HAS TO
11 TEST THE AFTERBURN POLLUTION CONTROL DEVICE TO ONCE EVERY
12 YEAR. BECAUSE WE ALREADY KNOW THAT FALCON FOAM IN THE
13 PAST HAS NOT BEEN ABLE TO ENSURE THAT THEIR EQUIPMENT BE
14 WORKING CONSISTENTLY. SO WE WANT TO HAVE SOME TEST TO
15 VERIFY THAT IN FACT IT IS WORKING.

16 THE DISTRICT CONDITIONS THAT APPLIES ALL OF THE
17 SUBSYSTEMS TO THAT, APPLIES TO THE RULE TO ALL THE
18 SUBSYSTEMS. THE PERMIT AS CURRENTLY SUBMITTED THE PERMIT
19 THE DISTRICT ISSUED, THE PROPOSED PERMIT DOESN'T MAKE THE
20 RULE APPLICABLE TO ALL OF THE EQUIPMENT. AND AS A
21 TECHNICAL MATTER, THE DISTRICT HAS TO INDICATE THE ORIGIN
22 AND AUTHORITY FOR EACH APPLICABLE REQUIREMENT WE LOOK AT
23 THAT THE FACILITY IS IN COMPLIANCE. WHEN WE LOOK AT
24 WHERE THOSE CONDITIONS CAME FROM AND WE CAN UNDERSTAND
25 FOR OURSELVES WHETHER OR NOT THEY'RE BEING PROPERLY

1 APPLIED. BECAUSE WHEN AND IF THEY DO GET THE TITLE V,
2 THAT DOES GIVE THE MEMBERS ABILITY TO SUE THEM FOR BEING
3 OUT OF COMPLIANCE WITH THEIR PERMIT.

4 THIRD POINT, GETTING CLOSE TO THE END, ALTHOUGH
5 CLEARLY THE CORNERSTONE OF THE TITLE V PROGRAM, PROBLEMS
6 WITH THE PROPOSED PERMIT CONDITIONS POINT TO A LACK OF
7 RIGOR WHEN DRAFTING TITLE V PERMITS. THIS IS JUST AN
8 EXAMPLE OF ONE PAGE OF THE PERMIT. AND I THINK THAT IT'S
9 CORRECT TO SAY THERE ISN'T A COPY THAT WAS MADE AVAILABLE
10 TO MEMBERS OF THE PUBLIC THAT CAME TO THE HEARING TODAY.

11 MR. NAZEMI: PEOPLE WHO ARE HERE TODAY DID NOT
12 GET A COPY OF THE PERMIT AS THEY WALKED IN, BUT A COPY IS
13 AVAILABLE IN THE LOCAL LIBRARY THAT HAS BEEN ADVERTISED.
14 TO ANYBODY INTERESTED IN THE COPY, WE HAVE EXTRA COPIES.

15 MS. JOHNSON: AND I HAVE A COPY ON THE DISK.
16 HOWEVER, TODAY, HOWEVER, IS THE DEADLINE FOR SUBMITTING
17 COMMENTS. AND I'M GOING TO TALK A LITTLE BIT ABOUT --

18 MR. NAZEMI: I'D LIKE TO INTERJECT SOMETHING.
19 I'D APPRECIATE IF YOU DON'T MAKE A DECISION FOR US IN
20 TERMS OF WHETHER TODAY IS THE FINAL DEADLINE OR NOT.
21 BECAUSE I'D LIKE TO MAKE THAT DECISION AT THE END OF THE
22 PUBLIC HEARING.

23 MS. JOHNSON: BASED ON OUR E-MAIL, I THOUGHT
24 THAT YOU WERE PRETTY CLEAR SO ARE YOU EXTENDING THE
25 DEADLINE, THEN?

1 MR. NAZEMI: I DON'T THINK I CAN ANSWER THAT
2 RIGHT NOW.

3 MR. LYOU: THEY CAN SUBMIT COMMENTS TO THE U.S.
4 EPA STILL. YOU'LL HAVE TO GO U.S. EPA WEBSITE, AND THAT
5 WILL BE ANOTHER PLACE WHERE YOU CAN STILL MAKE YOUR
6 COMMENTS ACTUALLY U.S. EPA HAS THE AUTHORITY TO OBJECT
7 AND NOT ALLOW THE DISTRICT TO ISSUE IT.

8 MS. JOHNSON: SO HERE'S THE PERMIT. AND BECAUSE
9 IT'S A LOT OF -- IT'S A LOT OF STUFF. LET ME QUICKLY
10 NOTE FOR YOU A COUPLE OF THE THINGS HERE. THIS IS WHERE
11 THEY'RE SUPPOSED TO LIST WHAT PIECE OF EQUIPMENT THESE
12 PIECES OF EQUIPMENT ARE CONNECTED TO. AS YOU CAN SEE,
13 MOST OF THEM ARE NOT CONNECTED TO C73.

14 MS. CASH: THAT'S CONNECTED INSIDE OUR WINDOWS.
15 THAT'S WHERE THEY'RE CONNECTED AT.

16 MS. JOHNSON: BUT INTERESTINGLY ENOUGH, EVEN
17 THOUGH THEY DO HAVE CONDITIONS ON THESE PIECES OF
18 EQUIPMENT THAT SAYS THAT THEY CAN'T HAVE VISIBLE
19 EMISSIONS, THEY CAN'T HAVE IN THEIR PRODUCTION PROCESS
20 DUST AND STUFF FLYING OFF OF THE CONVEYOR BELTS.
21 HOWEVER, THEY'RE NOT CONNECTED TO THE POLLUTION CONTROL
22 EQUIPMENT ACCORDING TO THIS PERMIT.

23 NEXT THEY LISTED HERE A SERIES THAT REGULATES
24 HOW MANY PREPUFFED BEADS THAT THEY CAN DO AT ANY
25 PARTICULAR HOUR. THAT APPLIES TO THESE THREE PIECES OF

1 EQUIPMENT HERE. I WANT YOU TO NOTICE TWO THINGS ABOUT
2 THIS. ONE, EACH OF THESE PIECES OF EQUIPMENT, EVEN
3 THOUGH THEY'RE ESSENTIALLY THE SAME, HAVE DIFFERENT
4 PERMITS. I KNOW THIS IS DIFFERENT CONDITIONS. I KNOW
5 THIS IS KIND OF HARD TO SEE WHERE YOU ARE. IF YOU HAD A
6 COPY OF THE PERMIT, YOU'D BE ABLE TO SEE IT YOURSELF, BUT
7 THINGS ARE ALL DIFFERENT. IT'S PAGE 11 IF YOU HAVE THE
8 PRESENTATION.

9 WHAT THESE CONDITIONS DO IS, THIS ONE RIGHT HERE
10 HAS A CONDITION THAT APPLIES TO THE VARIANCE TO THIS
11 PIECE OF EQUIPMENT. THIS PIECE OF EQUIPMENT, WHICH IS
12 ESSENTIALLY THE SAME AS THAT ONE, DOESN'T HAVE A
13 CONDITION THAT APPLIES A VARIANCE TO IT. THE CONVEYOR,
14 WHICH ISN'T CONNECTED, ISN'T OBLIGATED TO COMPLY WITH
15 RULE 1175 AND DOES NOT HAVE A CONDITION OF THE VARIANCE
16 AS DOES THIS. AND THESE TWO HAVE SEPARATE -- THOSE B59
17 THROUGH PUTS THAT I WAS TALKING ABOUT BEFORE, THIS PIECE
18 OF EQUIPMENT AND THIS PIECE OF EQUIPMENT HAS THE B59
19 CONDITION, THIS ONE DOESN'T. I DON'T KNOW HOW MUCH THEY
20 CAN PUT THROUGH THAT ONE.

21 I DON'T UNDERSTAND HOW THIS WORKS, BUT THE POINT
22 IS THAT THIS ISN'T VERY WELL DONE. THIS ISN'T CLEAR. IT
23 CAN'T BE CLEAR TO THE FACILITY. IT'S CERTAINLY NOT CLEAR
24 TO ME. AND I DON'T THINK IT WOULD BE CLEAR TO ANY OF YOU
25 WHETHER THIS FACILITY WAS IN COMPLIANCE.

1 MY LAST POINT, HERE WE ARE. REVIEW OF THIS
2 DRAFT PROPOSED TITLE V POINTS TO SERIOUS STRUCTURAL
3 PROBLEMS WITH THE DISTRICT'S PUBLIC PARTICIPATION
4 PROCESS. YOU KNOW ABOUT THAT. THE FIRST ONE IS DISTRICT
5 FAILED TO COMPLY WITH ITS RULES BY NOTIFYING THE PUBLIC
6 OF THE TITLE V HEARING IN LA OPINION. THEY'RE SUPPOSED
7 TO GIVE NOTICE TO THE AFFECTED COMMUNITY. THE CENSUS
8 BLOCK IS 71 PERCENT MONOLINGUAL, WELL, ENGLISH SPEAKERS.
9 WE ARE NOT SAYING IT SHOULDN'T BE PUBLISHED IN LA OPINION
10 BECAUSE THERE ARE 30 PERCENT OF THE PEOPLE WHO ARE NOT
11 MONOLINGUAL OR ENGLISH SPEAKERS, BUT IT NEEDS TO BE
12 AVAILABLE FOR ALL THE AFFECTED COMMUNITY.

13 THE PROPOSED PERMIT WAS NOT AVAILABLE AS STATED
14 IN THE NOTICE OF PROPOSED TITLE PERMIT. SHABAKA HERU FOR
15 THE COMMUNITY COALITION FOR CHANGE WENT TO THE LIBRARY
16 AND THEY SAID THEY DIDN'T HAVE A COPY AND THEY DIDN'T
17 HAVE ANY RECORD THAT THEY EVER RECEIVED IT.

18 THE PROPOSED TITLE V PERMIT WAS NOT AVAILABLE AT
19 THE DISTRICT OFFICE. I WENT TO THE DISTRICT OFFICE TO
20 TRY TO GET A COPY ON THE 8TH OF OCTOBER AFTER THEY
21 NOTICED THIS PUBLIC HEARING. THEY DIDN'T HAVE A COPY OF
22 THE PERMIT AVAILABLE. WHEN THEY FOUND OUT WHO IT WAS
23 FOR, THEY SENT VICKY LEE, WHO IS THE ENGINEER OF AIR
24 QUALITY, TO COME DOWN AND TALK WITH ME AND ASKED ME WHAT
25 I WAS LOOKING FOR AND FOR MY NAME TO LET HER SUPERVISOR

1 KNOW WHO WAS LOOKING FOR THE PERMIT AND VERIFIED THE
2 PERMIT WASN'T, IN FACT, AVAILABLE.

3 OTHER INFORMATION THAT'S SUPPOSED TO BE
4 AVAILABLE FOR PUBLIC REVIEW ALONG WITH THE PERMIT WASN'T
5 AVAILABLE. ONE OF THE THINGS THEY'RE SUPPOSED TO MAKE
6 AVAILABLE IS INFORMATION ABOUT THE COMPLIANCE HISTORY.
7 THEY'VE GOT IN THERE A COUPLE PAGES FROM THE HEARING
8 BOARD ABOUT THEIR CURRENT VARIANCE, BUT THEY DIDN'T SAY
9 ANYTHING ELSE ABOUT THE FACT THAT'S CASE NUMBER 53290-7,
10 AND THEY DIDN'T SAY ANYTHING ABOUT 53290 THROUGH SIX.
11 THEY DIDN'T SAY ANYTHING ABOUT THOSE OTHER CASE.

12 THEY SAID IN THE APPLICATION COVER LETTER THAT I
13 HAVE THAT THEY HAD ONE NOTICE OF VIOLATION IN THE PAST
14 TWO YEARS. THEY HAVE, IN FACT, THREE NOTICES OF
15 VIOLATION. THEY DIDN'T SAY ANYTHING ABOUT THE NOTICE
16 FROM THE HEARING -- THE ZONING BOARD'S NOTICE OF
17 VIOLATION FOR STORING THE FOAM IN THE PARKING LOT, EVEN
18 THOUGH WE KNOW THAT THAT WAS COMMUNICATED TO THE AQMD.
19 AND WE HAVE A COPY OF THE FAX THAT WAS SENT.

20 SO THAT'S WHY I SAY THERE WAS MISLEADING
21 INFORMATION ABOUT THE FACILITY'S COMPLIANCE HISTORY
22 PROVIDED WITH THE PERMIT. AND THE PROPOSED PERMIT
23 DOESN'T INCLUDE A STATEMENT OF BASIS AS REQUIRED BY THE
24 CLEAN AIR ACT. THE DISTRICT IS SUPPOSED TO LIST WHAT
25 THESE CONDITIONS ARE AND WHY THEY ARE BEING IMPOSED, WHAT

1 IT IS THAT YOU SHOULD BE UNDERSTANDING WHEN YOU'RE
2 LOOKING AT THIS PERMIT.

3 AND THE DISTRICT REQUIRES THAT IF YOU WANT TO
4 FIND OUT ABOUT ANY INFORMATION, YOU HAVE TO GO THROUGH
5 PUBLIC RECORDS AND GO THROUGH A BIG STACK OF DOCUMENTS.
6 THE DISTRICT IS SUPPOSED TO MAKE THAT A LITTLE BIT EASIER
7 FOR YOU. SO GIVEN THE VIOLATION OF THE TRUST AND
8 EMBODIED IN THE APPLICATION, WE CALL UPON THE DISTRICT TO
9 DENY FALCON FOAM'S TITLE V APPLICATION. AND SECONDLY, TO
10 INITIATE AN INTERNAL REVIEW PROCESS TO ADDRESS THE ISSUE
11 OF APPARENT LACK OF RIGOR IN THE PERMITTING PROCESS.

12 MR. NAZEMI: THANK YOU. I APPRECIATE THE
13 PRESENTATION THAT WAS GIVEN. AND I WANT TO INDICATE THAT
14 ANYBODY WHO WOULD LIKE A COPY OF THEIR PRESENTATION CAN
15 ASK -- CAN THE DISTRICT GET A COPY OF THE PRESENTATION?
16 BECAUSE THIS IS THE FIRST TIME WE'RE GETTING THE
17 INFORMATION.

18 I WANT TO POINT SOMETHING OUT. AND I HAVE ALL
19 THE CARDS HERE, AND I'M GOING TO GO THROUGH THEM AFTER I
20 MAKE THIS POINT HERE. THE PURPOSE OF GOING TO A PUBLIC
21 COMMENT PERIOD AND PROPOSING A PERMIT TO NOT SAY WE HAVE
22 ISSUED A PERMIT, REGARDLESS OF WHAT THE PUBLIC THINKS,
23 BUT IT IS TO PROVIDE THE PUBLIC OPPORTUNITY TO MAKE
24 COMMENTS SUCH AS THE ONES WE JUST HEARD TODAY.

25 AND I APPRECIATE ALL THE THINGS MS. MESZAROS

1 JUST SAID, BUT I CAN SAY THIS IS THE FIRST TIME WE'RE
2 GETTING COMMENTS ON THIS TITLE V PERMIT TODAY. SO I
3 WOULD LIKE TO TELL YOU TO STRUCTURE YOUR COMMENTS TODAY
4 -- WELL, WE HAVE HAD A REQUEST FROM THE L.A. UNIFIED
5 SCHOOL DISTRICT TO EXTEND THE COMMENT PERIOD. AND IT IS
6 MY INTENTION AT THE END OF THIS HEARING TO LET YOU KNOW
7 THAT WE ARE GOING TO EXTEND THE COMMENT PERIOD ON THIS
8 TITLE V PERMIT.

9 SO IF YOUR COMMENT IS RELATED TO THAT YOU DID
10 NOT GET AN OPPORTUNITY TO LOOK AT THE PERMIT OR REVIEW
11 SOME OF THE MATERIAL, YOU WILL GET AN OPPORTUNITY TO DO
12 SO. ANYBODY WHO IS INTERESTED WILL GET A WRITTEN NOTICE,
13 AND THERE WILL BE A 30-DAY PERIOD FOR YOU TO PROVIDE ANY
14 COMMENTS SUCH AS THE ONE WE GOT FROM MS. MESZAROS TODAY.
15 SO IF THAT HELPS YOU TO CHANGE YOUR COMMENTS OR SIMPLIFY
16 IT, I WOULD APPRECIATE IT.

17 MS. CASH: THAT'S VERY MUCH APPRECIATED. SO WE
18 CAN EXPECT THAT -- WHAT'S THE PROCESS FOR OBTAINING THE
19 INFORMATION -- PERMIT INFORMATION?

20 MR. NAZEMI: THE QUESTION IS WHEN WILL YOU BE
21 INFORMED? IN OTHER WORDS, WHEN WILL YOU GET THE NOTICE,
22 RIGHT?

23 MS. CASH: RIGHT.

24 MR. NAZEMI: THE NOTICE WILL BE SUBMITTED TO YOU
25 WITHIN 30 DAYS, AND THEN YOU WILL GET 30 DAYS FROM THAT

1 DATE. I NEED TO GO BACK TO THE OFFICE. THERE ARE A
2 NUMBER OF QUESTIONS THAT HAVE BEEN RAISED, AND I'D LIKE
3 TO LOOK AT THINGS THAT ARE NEEDED TO BE ADDRESSED. SO WE
4 WILL ADDRESS THOSE BEFORE WE GO TO NOTICE.

5 ONE OF THE THINGS, MAYBE ONE OF YOU OR ANYBODY
6 ELSE WHO IS PRESENT HERE, I WOULD LIKE TO ASK YOU SINCE
7 YOU HAVE TAKEN TIME TO COME TO THIS MEETING TO LET ME
8 KNOW WHAT IS THE LOCAL CIRCULATION PAPER FOR THIS AREA
9 WHICH WE ARE IN IF WE'RE NOT PICKING THE RIGHT PAPER. IF
10 ANYBODY CAN TELL ME WHAT THAT PAPER IS. IS THAT LONG
11 BEACH DAILY BREEZE.

12 MS. THOMPSON: THE WAVE, DAILY BREEZE, L.A.
13 TIMES.

14 MR. NAZEMI: ONE AT A TIME. CAN ONE PERSON
15 BRING ME THE LIST AND MAYBE THAT WILL HELP US.

16 MS. THOMPSON: IN THE LOS ANGELES AREA WE HAVE
17 THE WAVE, THE CENTINEL, THE PACE, THE L.A. TIMES. AND
18 THEN IN THE OTHER AREAS YOU HAVE THE SUN, THE DAILY NEWS,
19 PRESS TELEGRAM. AND WHAT ELSE?

20 MR. LEWIS: FORGET ABOUT THE TIMES.

21 MR. NAZEMI: ACTUALLY, THANK YOU VERY MUCH.
22 BECAUSE THAT'S THE REASON WE STEPPED AWAY FROM THE L.A.
23 TIMES. BECAUSE WHEN WE WENT TO THE COMMUNITIES, THEY
24 TOLD US WE DON'T READ THE L.A. TIMES. WE READ OUR LOCAL
25 PAPERS.

1 MS. THOMPSON: THERE IS A LOT OF PEOPLE THAT
2 READ THE TIMES MORNING, EVENING, NOON, AND NIGHT. YOU
3 NEED TO ADDRESS THE L.A. TIMES. ALL THE PAPERS I SENT
4 OUT YOU NEED TO ADDRESS THAT.

5 MR. COLEMAN: I WOULD LIKE TO MAKE ONE COMMENT.
6 I THINK MS. MESZAROS DID RAISE A NUMBER OF ISSUES. WE
7 DON'T AGREE WITH EVERYTHING SHE SAID, BUT SHE RAISED A
8 NUMBER OF ISSUES REGARDING SPECIFIC ITEMS IN THE PERMIT,
9 SPECIFIC CONDITIONS, DISCREPANCIES THAT WE AGREE WITH IT
10 AND/OR LIKELY WILL AGREE WITH IT. AND WE WOULD LIKE TO
11 COMMIT TO WORK WITH HER, HER ORGANIZATIONS, AND THE
12 DISTRICT TO RESOLVE THOSE.

13 MR. NAZEMI: OKAY. THE OTHER THING I WANT TO
14 MENTION, THERE IS A GENTLEMAN FROM L.A. UNIFIED SCHOOL
15 DISTRICT AND MAYBE ANOTHER REPRESENTATIVE HERE THAT I
16 WOULD LIKE TO WORK WITH L.A. UNIFIED SCHOOL DISTRICT
17 ABOUT THE OVERALL IMPACT ON KIDS AT THE SCHOOL. AND IN
18 THE PAST WE'VE WORKED WITH OTHERS AT L.A. UNIFIED. SO
19 I'LL BE HAPPY TO DO THAT.

20 MR. COLEMAN: WE ARE ALSO WILLING TO WORK ON
21 THAT WITH THE L.A. UNIFIED. SO I APPRECIATE IF YOU WANT
22 TO WORK WITH US.

23 MR. LOFTENIUS: I AM CHRISTOPHER LOFTENIUS FROM
24 THE OFFICE OF HEALTH AND SAFETY FOR THE LAUSD. I'VE BEEN
25 REVIEWING AND LOOKING AT THE PERMIT, AND I'VE BEEN TRYING

1 TO MAKE OUR COMMENTS TO THIS PERMIT APPLICATION. AND
2 WHAT WE NEED FROM STAFF AND STUDENTS FROM THE SCHOOL IS
3 TO GET INFORMATION ABOUT PROBLEMS WITH ODORS, THINNER, OR
4 GASOLINE, THAT TYPE OF PROBLEM, HEADACHES OR -- AND I
5 WOULD LIKE TO TELL YOU ABOUT OUR COMPLAINT LOG.

6 WE HAVE A SYSTEM IN OUR OFFICE WHERE WE LOG
7 COMPLAINTS THAT GO BACK SEVERAL YEARS. AND
8 UNFORTUNATELY, I COULDN'T SEE ANYTHING IN OUR LOG THAT
9 MENTIONED PROBLEMS WITH ODORS THAT COULD BE COMING
10 OFF-SITE EXCEPT A PROBLEM OF STICKY WHITE STUFF ON CARS,
11 RESIDUE.

12 IN FACT, IF YOU COULD CALL MY OFFICE, THE OFFICE
13 OF PUBLIC HEALTH AND SAFETY AND TALK TO THE OPERATOR
14 THERE, AND THERE WILL BE A DUTY OFFICER WHO WILL TAKE
15 YOUR COMPLAINTS OR CONCERNS OR WHATEVER SO WE CAN GET AN
16 IDEA WHAT'S GOING ON SO WE CAN MAKE OUR COMMENT TO THIS
17 PERMIT APPLICATION. IT'S VERY CRUCIAL TO GET THAT
18 INFORMATION. YOU CAN CALL THE HOS AT 213-241-3199 AND
19 YOU ASK FOR THE DUTY OFFICER.

20 THANK YOU. IF YOU HAVE ANY QUESTIONS, YOU CAN
21 COME SEE ME AFTERWARDS.

22 MS. SARNOFF: COULD YOU INDICATE HOW WELL THE
23 COMPLAINT SYSTEM IN GENERAL IN THE ENVIRONMENTAL HEALTH
24 AND SAFETY WITH L.A. UNIFIED SCHOOLS WORKS? BECAUSE I'VE
25 HEARD ABOUT TOXIC PROBLEMS.

1 MR. LOFTENIUS: WE HAVE A PROGRAM RIGHT NOW
2 CALLED THE HIGH-RISK FACILITIES. WE'RE LOOKING AT
3 IMMEDIATELY ADJACENT TO FACILITIES THAT HAVE HAD
4 PROBLEMS, IN PARTICULAR ENVIRONMENTAL PROBLEMS. I WORKED
5 ON JORDAN HIGH SCHOOL EARLIER THIS YEAR, AND THAT'S
6 ANOTHER ONE WHERE WE'RE STARTING TO GET SOME RESOLUTION.
7 WE DO HAVE A PROGRAM, BUT WE NEED PEOPLE TO CALL OUR DUTY
8 OFFICERS WITH COMPLAINTS AND CONCERNS.

9 MS. SUWOL: MY NAME IS ROBINA SUWOL, AND I'M
10 WITH CALIFORNIA SAFE SCHOOLS. AND STARTING WELL OVER A
11 YEAR AGO THERE SHOULD BE A PLETHORA OF RECORDS WITH L.A.
12 UNIFIED. THERE WASN'T A DISTRICT BOARD MEMBER OR ANYONE
13 IN THE ENVIRONMENTAL HEALTH AND SAFETY. IN FACT, ARNOLD,
14 TO MY KNOWLEDGE VISITED ANOTHER BODY SHOP AND FALCON.
15 AND IT CAME ABOUT AS A RESULT OF MY DEAR FRIEND MAYA AND
16 GRANDDAUGHTER PASSION WHO ATTENDS THIS SCHOOL. I THINK
17 IT NEEDS TO BE IN THE RECORD THAT THIS IS A SCHOOL FOR
18 SPECIAL NEEDS CHILDREN. AND ALSO I WANT TO THANK CHARLES
19 TOO FOR GOING OUT OF HIS WAY TO BE HERE.

20 MAYA, WHY DON'T YOU SPEAK BECAUSE YOU'VE HAD
21 DIRECT PERSONAL EXPERIENCE.

22 MS. OSBORNE: GOOD AFTERNOON. MY NAME IS MAYA
23 OSBORNE. I'M A GRANDPARENT TO A GRANDCHILD WITH CEREBRAL
24 PALSY. AND WHEN SHE CAME TO THIS SCHOOL IN DECEMBER OF
25 2001, BOTH OF US HAD TO GO FOR BREATHING TREATMENTS. I

1 ADDRESSED THE SCHOOL. THE SCHOOL IGNORED ME, SO I WENT
2 BACK AND FORTH TO HELP ME. AND ROBINA, AFTER A YEAR OF
3 GOING BACK AND FORTH, SHE DECIDED TO HELP US. SHE'S BEEN
4 WITH THE SCHOOL DISTRICT.

5 I ASKED MY PRINCIPAL TO PUT THE FLYERS IN OUR
6 PARENTS' BAGS AND ASKED THE PRINCIPAL TO LET ME POST IT
7 AND PUT THE FLYERS IN THE TEACHER BOXES, AND SHE WOULD
8 NOT ALLOW ME TO DO THIS. SO I DON'T KNOW HOW THE PARENTS
9 AT THIS SCHOOL ARE SUPPOSED TO KNOW ABOUT THE HEARING.
10 BUT I WENT AROUND AND PUT THAT WORD OUT TO PARENTS THAT I
11 COULD REACH, BUT I DON'T FEEL THAT THE SCHOOLS THEMSELVES
12 ARE HELPING THE PARENTS BEING ADDRESSED.

13 THE ISSUE IS NOT ONLY THIS SCHOOL, OTHER SCHOOLS
14 TOO. MY MAIN ISSUE, IF YOU WALK OUT OF THIS BUILDING
15 RIGHT NOW, YOU CAN SEE AT FALCON FOAM A BIG WHITE CLOUD
16 OF PUFFY STUFF. AND I GO TO THE HOSPITAL TWICE A MONTH,
17 SOMETIMES EVERY THREE MONTHS. AND I'M ON A REGIMEN FOR
18 MY EYES, AND THEY DON'T KNOW WHAT'S WRONG WITH MY EYES.
19 THEY WATER ALL THE TIME. AND I HAVE BREATHING PROBLEMS
20 AT TIMES, AND I HAVE TO TAKE BREATHING TREATMENTS. I
21 HAVE AN INHALER NOW. AND MY GRANDDAUGHTER, SHE TAKES
22 BREATHING TREATMENTS ALSO.

23 AND YOU'RE SAYING -- THIS STUFF COMING OUT INTO
24 THE AIR, IT HAS TO BE DETRIMENTAL TO US BECAUSE WE DIDN'T
25 HAVE THIS BEFORE, AND IT ONLY HAPPENS WHEN I COME HERE.

1 JUST LIKE NOW YOU CAN SEE MY EYES ARE TEARING, AND IT'S
2 ONLY HERE. AND WHEN I CAME HERE, I TOOK MELISSA OUTSIDE
3 AND SHOWED HER THE BIG WHITE CLOUD THAT COMES OUT. YOU
4 GUYS ARE SAYING THIS STUFF IS NOT HURTING US WHATEVER
5 THAT WHITE STUFF COMING OUT OF THAT IS. WE NEED TO KNOW
6 WHAT IT IS, PLEASE. THANK YOU.

7 MR. NAZEMI: THANK YOU. I'M GOING TO GO THROUGH
8 THESE UNLESS SOMEBODY TELL ME THEY NEED TO LEAVE.

9 JOE LYOU, DO YOU WANT TO MAKE COMMENTS?

10 MR. LYOU: YES, I DO. AS WE KNOW BASED ON THE
11 PRESENTATION, THAT FALCON FOAM IS OPERATING UNDER A
12 VARIANCE FROM THE HEARING BOARD. THIS VARIANCE CONTAINS
13 THIS LIMIT OF AVERAGE MONTHLY -- THE MONTHLY WEIGHTED
14 AVERAGE PENTANE BEAD OF THE LESS THAN 4.52. AND IT USED
15 TO BE 4.25 PERCENT. NOW THE RECORDS SUBMITTED BY THE
16 COMPANY INDICATE THAT THEY ARE NOT COMPLYING WITH THAT
17 CONDITION THAT CAME FROM THE HEARING BOARD.

18 SO I HAVE AT LEAST THREE QUESTIONS. WHY DOES
19 AQMD ALLOW FALCON FOAM TO CONTINUE TO OPERATE EVEN THOUGH
20 IT'S NOT IN COMPLIANCE WITH RULE 1175 OR IN COMPLIANCE
21 WITH THE VARIANCE FROM THE RULE THAT WAS ISSUED BY THE
22 HEARING BOARD? AND SECONDLY, DOES AQMD THINK THAT FALCON
23 FOAM WILL EVER COME INTO COMPLIANCE WITH RULE 1175? AND
24 IF SO, WHEN WILL THEY COME INTO COMPLIANCE? AND HOW WILL
25 THEY COME INTO COMPLIANCE?

1 THERE WAS ANOTHER THING THAT I WANTED TO ASK A
2 QUESTION ABOUT, AND MORE GENERAL THIS IS -- YOU PEOPLE IN
3 THE AUDIENCE PROBABLY DON'T KNOW THIS, BUT SOUTH COAST
4 AIR QUALITY MANAGEMENT DISTRICT HAS ISSUED APPROXIMATELY
5 585 TITLE V PERMITS AS INDICATED ON THEIR WEBSITE. THIS

6 IS THE FIRST OFFICIAL ON-THE-RECORD TITLE V HEARING EVER
7 BEING HELD AFTER 585 PERMITS HAVE BEEN ISSUED. AS YOU
8 CAN SEE, THE STRUCTURE OF THIS HEARING HAS BEEN A LITTLE
9 BIT HAPHAZARD. AND MY QUESTION IS WILL SOUTH COAST AQMD
10 OR DOES SOUTH COAST AQMD HAVE HEARING PROCEDURES OR ARE
11 YOU CONSIDERING FORMAL HEARING PROCEDURES SO WE HAVE A
12 BETTER JUDGE OF HOW THESE HEARINGS SHOULD BE CONDUCTED?

13 AND FOR EXAMPLE, WE HAD OVER THE COURSE OF THE
14 LAST COUPLE OF DAYS A LOT OF E-MAIL FLYING BACK AND FORTH
15 BETWEEN ANGELA JOHNSON MESZAROS AND AQMD STAFF OVER
16 WHETHER OR NOT OR HOW TO MAKE IT POSSIBLE FOR HER TO SHOW
17 HER POWERPOINT PRESENTATION. SO THINGS AS SIMPLE AS THAT
18 CAN BE VERY COMPLICATED WHEN IT COMES TO THESE
19 PROCEDURES. SO I THINK THE LACK OF HEARING PROCEDURES
20 HAVE BEEN A PROBLEM.

21 THOSE ARE MY QUESTIONS. THANK YOU.

22 MR. NAZEMI: THANK YOU, JOE.

23 KAREN CASH. I'M SORRY, REINTRODUCE YOURSELF.

24 MS. CASH: KAREN CASH REPRESENTING THE
25 COMMUNITY. AND I LIVE DIRECTLY BEHIND FALCON FOAM RIGHT

1 ACROSS THE STREET ON 140TH STREET. MY CONCERN WITH
2 FALCON FOAM IS THAT THEY HAVE LIED TO US IN THE PAST.
3 THE COMMUNICATION -- WE'VE WRITTEN FALCON FOAM ON
4 NUMEROUS OCCASIONS, AND THEIR RESPONSE HAS BEEN -- WELL,
5 THEIR RESPONSES HAVE BEEN CAVALIER. THEY SAID THE PLUME
6 OF SMOKE IS MERELY STEAM. AND EACH TIME WE'VE TALKED TO
7 THEM ABOUT IT, THEY'VE GOT A CAVALIER RESPONSE TO US.

8 AND YOU TALK ABOUT PARTNERING WITH US? WE CAME
9 OVER AS A COMMUNITY FOR YOU TO PARTNER WITH US. WE TOLD
10 YOU ALL OF OUR PROBLEMS, AND YOU COME BACK WITH NOTHING.
11 AGAIN, YOUR RESPONSE HAS BEEN VERY CAVALIER THAT THAT IS
12 STEAM THAT COMES OUT, JUST STEAM. BUT YOU'VE BEEN CITED
13 FOR POLLUTING WITH THAT STEAM.

14 AND THE BEADS THAT YOU SHOWED US, WE'RE VERY
15 FAMILIAR WITH THOSE BEADS. THOSE ARE THE BEADS THAT COME
16 ON OUR LAWN. THOSE ARE THE BEADS IN OUR BACKYARDS. YOU
17 TALK ABOUT THE SMELL, OH, AGAIN, IT'S NOT TOXIC, BUT YET
18 IT AFFECTS MY BREATHING. AND I THINK I'M A HEALTHY
19 PERSON, BUT IT AFFECTS MY BREATHING SO THAT I HAVE TO
20 CLOSE MY WINDOWS IN THE SUMMERTIME. I HAVE TO CLOSE MY
21 WINDOWS BECAUSE IT SMELLS SO BAD. AND WHEN I SAY IT
22 AFFECTS MY BREATHING, I BREATHE IN A LABORED FASHION.

23 THOSE ARE SOME OF THE PROBLEMS THAT I PERSONALLY
24 HAVE EXPERIENCED. ALONG WITH THAT, WITH WHAT I'VE
25 EXPERIENCED, WHEN A PLUME OF STEAM, QUOTE, UNQUOTE, IS

1 EMITTED, NOT ONLY DOES IT HAVE THE SMELL THAT IS
2 ASSOCIATED WITH IT, BUT IT ALSO HAS A VERY LOUD SOUND.
3 THE SOUND IS VERY DISTURBING TO OUR COMMUNITY. IT
4 HAPPENS APPROXIMATELY EVERY 20 MINUTES. BUT IT'S LIKE A
5 BIG SWITCH GOES OFF, AND THAT'S AN UNDERSTATEMENT.
6 BUT WHEN I INITIALLY MOVED BACK INTO THE
7 NEIGHBORHOOD, IT WOULD WAKE ME. IT STILL DISTURBS ME.
8 WE ARE WORKING-CLASS PEOPLE. WE HAVE TO GO TO SLEEP.
9 WE'RE VERY MUCH DISTURBED BY THIS IS.
10 ANOTHER ITEM, THE TRUCKS THAT YOU LOAD AND
11 UNLOAD. AND OF COURSE, YOU SAY WE'RE NOT GOING TO DO
12 THIS. WE'RE NOT GO TO. WE'RE GOING TO LOAD FROM OVER
13 HERE. YOU MIGHT DO IT FOR A WEEK OR TWO, BUT JUST THIS
14 PAST WEEK, I BELIEVE IT'S LUCY -- WAS IT LUCY FROM THE
15 FACTORY WHO TOLD YOU THAT? I BELIEVE IT WAS LUCY. ONE
16 OF YOUR REPRESENTATIVES SAID -- BECAUSE MIND YOU, THIS
17 NOISE FROM DROPPING PALLETS -- WE'RE TRYING TO SLEEP, AND
18 YOU GUYS DON'T CARE. YOU DROP PALLETS. YOU LOAD THE
19 TRUCKS RIGHT BEHIND US. AND THAT SMELL FROM THE TRUCKS,
20 NOT ONLY DO WE HAVE SMELL FROM THE TRUCKS, THE EXHAUST
21 THAT'S RIGHT THERE BECAUSE YOU'RE LOADING.
22 HERE'S OUR BACKYARD. I WISH I HAD THAT AERIAL
23 SHOT. HERE'S OUR BACKYARD, AND HERE'S FALCON FOAM. HERE
24 ARE THE TRUCKS THAT ARE COMING, AND THEY'RE STOPPING.
25 THEY'RE EMITTING ALL OF THAT SMOG OR WHATEVER IT IS THAT

1 COMES FROM -- AND SOOT. IT'S COMING RIGHT IN OUR HOUSES.
2 WE'VE TOLD YOU THIS IN A DETAILED IN LETTER, BUT AGAIN,
3 YOUR RESPONSES HAVE BEEN OH, THAT'S NO BIG DEAL. WE TOLD
4 YOU ALL THE THINGS THAT YOU NEED TO DO, BUT AGAIN, YOU
5 DISMISS IT AS IF WE ARE --

6 MS. LIMBRICK: INVISIBLE.

7 MS. CASH: INVISIBLE IS A VERY GOOD WORD. AS IF
8 WE ARE INVISIBLE. CERTAINLY YOU HAVE NOT DEMONSTRATED
9 THAT YOU CARE ABOUT US AT ALL. YOU'VE BEEN CITED. YOU
10 LIED ABOUT THAT. HERE YOU'RE SAYING NOW YOU BELIEVE THAT
11 YOU'RE OPERATING IN COMPLIANCE. WHAT DO YOU MEAN YOU
12 BELIEVE YOU'RE OPERATING? YOU KNOW THAT YOU'RE NOT. SO
13 IT IS -- IT APPEARS THAT YOU DON'T CARE. IT'S NOT THAT
14 IT APPEARS, YOU HAVE DEMONSTRATED THAT YOU DON'T CARE
15 ABOUT OUR NEIGHBORHOOD. YOU HAVE DEMONSTRATED THAT YOU
16 DON'T HAVE CARE ABOUT THE RESIDENTS. YOU DON'T CARE
17 ABOUT THESE KIDS THAT GO TO SCHOOL. ANYWAY, THAT'S MY
18 COMMENT.

19 MY QUESTION IS, HOWEVER, THAT FALCON FOAM
20 REPORTED 19.49 TONS OF VOC THAT YOU RELEASED, TONS OF
21 PERMITTED VOC RELEASES, AND -- LET ME START AGAIN.
22 FALCON FOAM REPORTED 19.49 TONS OF PERMITTED VOC RELEASES
23 AND .81 TONS OF NON-PERMITTED RELEASES FOR THE 2002
24 THROUGH 2003 REPORTING YEAR. HOW IS THAT NUMBER
25 CALCULATED? CAN YOU EXPAND ON THAT, PLEASE?

1 MR. BUCKANTZ: SURE. JUST SO YOU KNOW, MY NAME
2 IS MIKE BUCKANTZ. I'VE DONE A LOT OF PERMITTING WORK AND
3 SOME OF THE EMISSION CALCULATIONS FOR FALCON FOAM. JUST
4 SO I UNDERSTAND, MA'AM, VERY CLEARLY, ARE YOU TRYING TO
5 MAKE THE DISTINCTION BETWEEN WHAT'S A PERMITTED OR
6 NON-PERMITTED EMISSION?

7 MS. CASH: SAY AGAIN.

8 MR. BUCKANTZ: PARDON ME. I JUST WANT TO MAKE
9 SURE I UNDERSTAND YOUR QUESTION CLEARLY. ARE YOU TRYING
10 TO UNDERSTAND BETTER WHAT'S THE DIFFERENCE BETWEEN A
11 PERMITTED AND AN UNPERMITTED EMISSION? OR ARE YOU ASKING
12 THE INTRICATE DETAILS OF HOW --

13 MS. CASH: WHY DON'T YOU EXPLAIN BOTH.

14 MR. BUCKANTZ: THE MAIN THRUST OF THE EMISSION
15 CALCULATIONS HAS TO DO WITH SEVERAL MANUFACTURING PROCESS
16 STEPS. AND I'LL TRY TO KEEP IT SIMPLE.

17 MS. CASH: YOUR EXPLANATION, CAN YOU PUT IT ON
18 LAYMAN'S TERMS?

19 MR. BUCKANTZ: I'LL DO MY BEST. IF I MISS MY
20 MARK, ASK THE QUESTION AGAIN AND WE'LL GIVE IT A SHOT.
21 THE FIRST THING WE DO, WE ACCOUNT FOR ALL OF THE RAW
22 MATERIAL, THE VERY SMALL BEADS THAT WE PASSED AROUND IN
23 THE ROOM, AND WE ACCOUNT FOR THE DIFFERENT SUPPLIERS THAT
24 THE SUPPLY THE MATERIAL AND THE DIFFERENT PENTANE
25 CONTENTS OF EACH. SOME OF THEM HAVE 3 AND A HALF PERCENT

1 PENTANE AND OTHERS HAVE 4 AND HALF. SO WE ADD THEM UP
2 AND BUT THEM IN CATEGORIES BASED ON THE STARTING PENTANE
3 CONTENT.

4 SO FAR SO GOOD?

5 MS. CASH: GO AHEAD.

6 MR. BUCKANTZ: WE ACCOUNT FOR EACH POUND OF BEAD
7 THAT GOES THROUGH THE MANUFACTURING PROCESS. BASED ON
8 THE TESTING PERFORMED IN THE PAST, WE HAVE AN
9 UNDERSTANDING OF THE QUANTITY OF THOSE EMISSIONS THAT ARE
10 CAPTURED BY THE AIR POLLUTION CONTROL SYSTEM AND THAT THE
11 QUANTITY THAT IS RETAINED IN THE FINAL ROUTINE -- FIRST
12 AND FINAL PRODUCTS WOULD STILL HAVE PENTANE IN IT. A
13 SMALL PORTION OF THE PENTANE THAT STARTS IN THOSE SMALL
14 BEADS NEVER EVER GETS RELEASED BECAUSE IT'S IN THAT
15 PRODUCT. THE DIFFERENCE BETWEEN WHAT WE START WITH, IN
16 OTHER WORDS, WHAT WE START WITH IN THOSE VERY SMALL BEADS
17 WHAT'S CAPTURED AND DESTROYED BY THE AIR POLLUTION
18 CONTROL SYSTEM AND WHAT'S RETAINED IN THAT FINAL PRODUCT
19 IS WHAT'S RELEASED TO THE ATMOSPHERE.

20 MS. CASH: HOW IS THAT CALCULATED?

21 MR. BUCKANTZ: FOR EXAMPLE, IF WE HAD A HUNDRED
22 THOUSAND BEADS, OF A BEAD THAT HAD AN INITIAL PENTANE
23 CONTENT OF 5 PERCENT -- OKAY. WE WOULD START OUT WITH
24 5,000 POUNDS OF PENTANE. IN THAT HUNDRED THOUSAND POUNDS
25 OF BEADS, THERE'S A LOT OF THINGS THAT COMPRISE THAT

1 BEAD, BUT WHAT WE'RE CONCERNED ABOUT IS PENTANE. SO
2 THAT'S 5,000 OF THE 100,000 POUNDS. SO WE KNOW BASED ON
3 THE TESTING THAT'S BEEN REVIEWED BY THE DISTRICT THAT A
4 PORTION OF THAT 5,000 POUNDS, LET'S JUST SAY FOR THE SAKE
5 OF ARGUMENT, 4500 POUNDS IS DIRECTED TO THE EMISSION
6 CONTROL SYSTEM. OF THAT 4500 POUNDS -- AND AGAIN, THIS
7 IS JUST AN EXAMPLE.

8 MS. CASH: OKAY.

9 MR. BUCKANTZ: OF THAT 4500 POUNDS, THE AIR
10 POLLUTION CONTROL SYSTEM WILL DESTROY APPROXIMATELY 95
11 PERCENT OF IT. SO I DON'T KNOW WHAT THE HECK THAT IS. I
12 DIDN'T BRING THE CALCULATOR, BUT OFF THE TOP OF MY HEAD
13 THAT'S ABOUT 20 POUNDS, 25 POUNDS.

14 MS. CASH: SIR, HOW CAN THAT WORK? I UNDERSTAND
15 YOUR PROCESS. BUT HOW CAN THAT WORK IF IT'S NOT
16 CONNECTED? SO MANY OF THOSE THINGS ON THAT PERMIT ARE
17 NOT CONNECTED.

18 MR. NAZEMI: LET ME CLARIFY. AGAIN,
19 MS. MESZAROS RAISED A SERIES OF ISSUES, AND I DIDN'T WANT
20 TO GO BACK AND FORTH HERE AT THIS MEETING TO ADDRESS
21 EVERY SINGLE ONE OF THOSE. THE FACT IS ON THE PERMIT --
22 AND WE'RE GOING TO GO BACK AND LOOK AT SPECIFIC PAGES.
23 THE FACT ON THE PERMIT THAT IT DOESN'T HAVE AN INDICATION
24 WHICH EQUIPMENT AND INDIVIDUAL DEVICES IS CONNECTED DOES
25 NOT MEAN IT'S NOT CONNECTED. IT JUST MEANS THAT OUR

1 ENGINEERS, WHEN LOOKING AT EACH PERMIT UNIT THAT WE CALL
2 A PERMIT, HAS SEVERAL DEVICES ASSOCIATED WITH IT. THEY
3 TYPICALLY CONNECT AND SHOW THAT THE HOLE -- THE MAIN
4 PORTION OF THAT PERMIT UNIT IS CONNECTED TO THE POLLUTION
5 CONTROL DEVICE. AND I THINK MS. MESZAROS INDICATED THAT
6 SOME OF THE OTHER DEVICES ASSOCIATED ON THE PERMIT DO NOT
7 SHOW AS IF THEY ARE CONNECTED OR NOT, AND THAT DOES NOT
8 MEAN THAT THEY'RE NOT CONNECTED. BECAUSE WHEN YOU --

9 MS. CASH: WHY WOULDN'T THEY REFLECT WHAT'S
10 ACTUALLY HAPPENING?

11 MR. NAZEMI: AGAIN, THIS IS JUST THE TYPE OF
12 PRACTICE WE USE. IF THERE'S SOMETHING WRONG WITH THAT,
13 WE'RE MORE THAN HAPPY TO LOOK AT IT AND CHANGE IT IF
14 NECESSARY. BUT WHAT WAS ON THAT PAGE IS NOT REALLY
15 WHAT'S AT THE FACILITY. BECAUSE I PERSONALLY HAVE GONE
16 TO THAT FACILITY.

17 MS. CASH: IF WE'RE GOING TO GET THE WRONG
18 PERMIT --

19 MR. NAZEMI: I'M SORRY, I DID SUGGEST WE'RE
20 GOING TO HAVE A NEW PERMIT AND A NEW COMMENT PERIOD
21 AVAILABLE FOR EVERYBODY, SO I WAS HOPING IT WOULD BE
22 CLARIFIED. AGAIN, WE ARE OPENING UP THE COMMENT PERIOD,
23 AND WE ARE ALLOWING YOU TO LOOK AT THE PERMIT AGAIN. AND
24 IF YOU STILL HAVE ANY CONCERNS --

25 MS. CASH: OKAY. LET ME SAY THIS. I THINK WHAT

1 ANY PERMIT SHOULD REFLECT IS WHAT ACTUALLY IS HAPPENING.
2 OKAY. NOT -- THIS IS NOT -- WHEN YOU GO LOOK AT THIS, IT
3 IS NOT REALLY -- THE PERMIT IS NOT REFLECTIVE OF THE
4 ACTUAL CONDITIONS AND OPERATING, WHAT'S ACTUALLY
5 HAPPENING.

6 MR. NAZEMI: I UNDERSTAND.

7 MS. CASH: HOW DO I KNOW IT'S NOT REALLY THAT
8 WAY.

9 MR. NAZEMI: I UNDERSTAND. AND I BEG TO DIFFER
10 BECAUSE EACH PERSON HAS A DIFFERENT INTERPRETATION. SO
11 WE'LL TRY TO DO OUR BEST TO MAKE SURE THE GENERAL PUBLIC
12 WHO LOOKS AT THE PERMIT WILL UNDERSTAND. AND YOU'RE
13 STILL GOING TO FIND SOMEONE WHO MAKES A DIFFERENT
14 INTERPRETATION THAT MIGHT BE DIFFERENT THAN MINE.

15 MS. CASH: AND I APPRECIATE THAT, SIR, THAT IT
16 BE REFLECTIVE OF THE ACTUAL OPERATING CONDITIONS OF
17 FALCON FOAM. OKAY. THANK YOU, SIR.

18 MR. BUCKANTZ: WE AGREE WITH THAT.

19 MS. CASH: WHAT ABOUT THE POLLUTION CONTROL? WE
20 HAD A CHANGE IN HANDS. WHERE DID WE LEAVE OFF WITH THE
21 POLLUTION CONTROL DEVICE THAT WASN'T WORKING? WHAT ABOUT
22 THAT?

23 MR. BUCKANTZ: WHAT THE EPA IS TALKING ABOUT AND
24 WE HAVE SPOKEN ABOUT, AND WE HAVE A DIFFERENCE OF
25 OPINIONS OVER THIS MATTER, DURING PERIODS WHEN THE

1 FACILITY IS SHUT DOWN, IN OTHER WORDS, THERE'S NO
2 MANUFACTURING GOING ON, THEY'RE NOT AGING ANY MATERIAL,
3 THEY DON'T HAVE ANY BEADS IN THEIR PROCESSING SYSTEM,
4 DURING THOSE PERIODS OF TIME THERE'S NOTHING TO CONTROL.
5 THEREFORE, RATHER THAN CONTINUE TO EMIT OXIDES OF
6 NITROGEN, CARBON MONOXIDES, NOT ONLY BY FALCON FOAM, BUT
7 IN DEED POLLUTANTS OF NATURAL GAS, WATER HEATERS WE TURN
8 THAT OFF BECAUSE AT THAT POINT IN TIME THAT'S FUEL
9 WASTED. THOSE ARE COMBUSTIONS THAT WOULDN'T BE USED TO
10 CONTROL ANY PORTION OF THE MANUFACTURING PROCESS.

11 MS. CASH: SIR, DON'T YOU OPERATE SEVEN DAYS A
12 WEEK, 24 HOURS A DAY WITH THE EXCEPTION OF MAYBE -- ARE
13 THEY OFF ON SUNDAY?

14 MS. LIMBRICK: NO. THEY WORK 24/7.

15 MS. CASH: WHEN ARE YOU NOT OPERATING AND MAKING
16 THAT PRODUCT?

17 MR. COLEMAN: WE'LL NEED TO DISAGREE BECAUSE
18 THEY DON'T OPERATE 24 HOUR A DAYS.

19 MS. CASH: WE GET 24-HOUR NOISE. LET'S ASK
20 MR. OGAWA OR ROGER. I KNOW YOU MORE AS ROGER.

21 MR. OGAWA: WE OPERATE 24 HOURS GENERALLY FIVE
22 DAYS A WEEK.

23 MS. CASH: SIR, AREN'T YOU OPERATING NOW?

24 MR. OGAWA: ON OCCASION WE WORK ON SATURDAY, BUT
25 WE DON'T WORK ON SUNDAY.

1 MS. LIMBRICK: YOU'RE RIGHT BEHIND MY HOUSE.

2 MR. OGAWA: BUT IN GENERAL WE WORK 24 HOURS A

3 DAY, FIVE DAYS A WEEK. WE DO WORK ON SUNDAY WHEN WE HAVE

4 THE NEED. BUT GENERALLY WE DON'T WORK ON SUNDAYS. WE

5 START UP EARLY ON MONDAY MORNING. AND THAT'S USUALLY --

6 MS. CASH: BUT PREVIOUSLY YOU WERE WORKING ON

7 SUNDAY?

8 MR. OGAWA: IN THE PAST WE HAVE WORKED ON

9 SUNDAY, 1999, 2000, BUT WE HAVEN'T LATELY.

10 MS. CASH: BUT YOU ARE OPERATING SIX DAYS A

11 WEEK?

12 MR. OGAWA: YES. THE FIRST SHIFT ON SATURDAY WE

13 GENERALLY WORK.

14 MS. CASH: THANK YOU.

15 MR. NAZEMI: MS. JOHNSON.

16 MS. JOHNSON: MY NAME IS LAVERNE JOHNSON. I AM

17 THE WIFE OF LEROY JOHNSON. WE ARE RESIDENTS OF THIS

18 COMMUNITY. AND WHAT I HAVE BEFORE ME, I HAVE JUST SOME

19 PERSONAL COMMENTS AND OBSERVATIONS, IF YOU WOULD,

20 REGARDING THIS SITUATION. AND MY FIRST QUESTION IS WE

21 COULDN'T UNDERSTAND WHY AQMD WOULD EVEN CONSIDER GIVING

22 THEM THIS TITLE V PERMIT WHEN FALCON FOAM HAS

23 DEMONSTRATED IN THE PAST THAT THEY DON'T HAVE ANY REGARD

24 FOR OUR COMMUNITY OR ANY OF US WHO LIVE THERE.

25 AND IT IS ALSO OUR UNDERSTANDING THAT AQMD WAS

1 AN ORGANIZATION THAT PROTECTED THE WELL-BEING OF ALL
2 CITIZENS AND THE AIR THEY BREATHE NO MATTER WHERE THEY
3 LIVED. AND NOW SMOG IS A VERY SERIOUS PROBLEM, BUT IT'S
4 VERY SERIOUS FOR CHILDREN AND OLDER PEOPLE. AND WE IN
5 THE COMMUNITY HAVE TO BREATHE THIS AIR EVERY DAY AND
6 EVERY NIGHT DEPENDING ON THE OPERATIONAL HOURS OF THE
7 COMPANY. AND AS ROGER HAS JUST SAID NOT SEVEN DAYS, BUT
8 SIX DAYS. BUT THAT'S A MOOT POINT.

9 FURTHERMORE, MOST OF ALL THE CHILDREN IN THE
10 COMMUNITY ARE SUFFERING FROM SOME TYPE OF ASTHMA OR SOME
11 KIND OF BREATHING PROBLEM. MY HUSBAND HAS A BREATHING
12 PROBLEM HE DEVELOPED IN THE LAST COUPLE OF YEARS. AND IN
13 THE LAST COUPLE OF YEARS I HAVE DEVELOPED A DRY COUGH,
14 AND I HAVE NOT COME UP WITH ANY EXPLANATION FOR IT.

15 WHEN WE WENT OUT OF TOWN, HE DID NOT HAVE TO USE
16 ANY TYPE OF BREATHING DEVICE. HE WAS OKAY FOR THOSE
17 COUPLE OF WEEKS. BUT WHEN WE CAME BACK HERE, IT STARTED
18 ALL OVER AGAIN. SO WE JUST DON'T UNDERSTAND, YOU KNOW,
19 WHY THEY WOULD EVEN CONSIDER GIVING THEM THIS PERMIT.

20 AND MY NEXT QUESTION, IF THEY GET THIS PERMIT
21 OVER THE OBJECTIONS OF THE COMMUNITY AND EVEN IF FALCON
22 FOAM AND AQMD PUT A BREATHING DEVICE IN EVERY HOME, IT
23 STILL WOULD NOT BE ENOUGH BECAUSE WE DON'T STAY INSIDE
24 ALL THE TIME. WE HAVE TO COME OUTSIDE. CHILDREN ARE
25 PLAYING OUTSIDE ALL OF THE TIME. AND WHO IS GOING TO --

1 THIS IS NOT A COMMUNITY WHERE WE HAVE MILLIONAIRES. WE
2 ARE ALL WORKING-CLASS PEOPLE. WHO IS GOING TO HELP US
3 PAY FOR MEDICAL COSTS OR ANYTHING ASSOCIATED WITH
4 BREATHING PROBLEMS.

5 SO MY LAST QUESTION IS WHO IS GOING TO TAKE US
6 -- AQMD OR FALCON FOAM, ARE YOU GOING TO TAKE
7 RESPONSIBILITY AND ACCOUNTABILITY FOR THE IMPACT THAT
8 THIS PERMIT WILL HAVE ON THE COMMUNITY AND THE NEGATIVE
9 IMPACT? BECAUSE IT WILL BE A NEGATIVE IMPACT. AND DOES
10 ANYONE IN THIS ROOM KNOW OF ANY OTHER PLACE WHERE A
11 COMPANY IS OPERATING MANUFACTURING -- THE TYPE OF PRODUCT
12 THAT THEY PRODUCE NEAR TWO SCHOOLS AND RIGHT AT A
13 COMMUNITY? I DON'T.

14 MR. NAZEMI: THANK YOU. SHABAKA HERU. I HOPE I
15 DIDN'T MISPRONOUNCE IT.

16 MR. HERU: YOU DID GREAT. MY NAME IS SHABAKA
17 HERU. I'M WITH THE COMMUNITY COALITION FOR CHANGE. AND
18 I'VE LIVED IN THIS COMMUNITY ALL MY LIFE, OVER 50 YEARS.
19 I WON'T TELL YOU HOW OLD I AM, BUT I'M OVER 50. I WANT
20 TO THANK ALL OF YOU FOR COMING OUT TODAY, PARTICULARLY
21 THE REPRESENTATIVES FROM THE AQMD AND FALCON FOAM. WE
22 NEEDED TO GET TOGETHER FOR A LONG TIME. BECAUSE THIS HAS
23 BEEN A PROBLEM I NOTICED PERSONALLY OVER TEN YEARS WHEN I
24 WAS WALKING THROUGH THE COMMUNITY OVER HERE ON 140TH AND
25 I SAW A LOT OF CRAP ON THE GROUND. I DIDN'T KNOW WHAT IT

1 WAS. IT LOOKED LIKE GRAFFITI.

2 AND I WANT TO THANK KAREN CASH FOR BRINGING IT
3 TO OUR ATTENTION AT ONE OF OUR COMMUNITY MEETINGS HERE AT
4 AVALON GARDENS WHERE WE HAD REPRESENTATIVES AT THAT
5 COMMUNITY MEETING FROM FALCON FOAM WHO TOLD US THAT THE
6 ONLY THING COMING FROM FALCON FOAM WAS STEAM.

7 MS. CASH: WATER.

8 MR. HERU: WE HAVE BEEN ASSURED BY THE MANAGER
9 THAT THERE WAS NOTHING TO WORRY ABOUT, THAT IT WAS JUST
10 STEAM. I WANT TO THANK ALSO MAYA. SHE HELPED ME CONTACT
11 THE PRINCIPAL HERE. SHE TOOK ME ON A TOUR. SHE HAS A
12 YOUNG GRANDDAUGHTER THAT GOES TO SCHOOL HERE. SHE TOOK
13 ME ON A TOUR. WE TALKED TO SOME OF THE TEACHERS HERE AND
14 THE PRINCIPAL. AND WHAT I'VE HEARD THAT WAS REALLY I
15 THINK SORT OF SKIRTED AROUND WAS THAT A COUPLE OF TIMES A
16 WEEK THE FACILITY SORT OF VENTS ITSELF AND BREATHING
17 BECOMES VERY, VERY DIFFICULT. YOU HAVE THIS NAUSEOUS
18 FEELING WHEN YOU SMELL IT. YOU HAVE THIS STUFF YOU CAN
19 FEEL ON YOUR SKIN.

20 MS. LIMBRICK: IT'S A MIST.

21 MR. HERU: IT'S A MIST THAT YOU CAN FEEL ON YOUR
22 SKIN. I HEARD FROM THE PEOPLE ON 140TH STREET THAT THEY
23 CAN'T LEAVE THEIR DOORS OPEN AND THEIR WINDOWS OPEN
24 BECAUSE THIS STUFF COMES INTO THEIR HOUSE AND THEY HAVE
25 TO WIPE IT OFF OF THEIR FURNITURE, THE STEAM I GUESS.

1 IT'S THE STEAM LANDING ON THEIR STUFF. AND WE HAVE
2 PEOPLE THAT DON'T WANT THEIR CHILDREN TO GO OUT. THEY'RE
3 FEARFUL FOR THEIR ANIMALS. WE DON'T KNOW IF OUR GARDENS
4 ARE SAFE. BECAUSE WE ALL LIKE TO GROW OUR OWN FOOD AND
5 STUFF.

6 AND, YOU KNOW, IF GO OUTSIDE -- WHEN YOU GO
7 OUTSIDE, IF YOU LOOK AT THE PLAY YARD FOR THE KIDS, IT'S
8 RIGHT NEXT TO THE FACILITY. I MEAN WE WERE SO HAPPY TO
9 HAVE THE HEARING HERE. AND WE'RE REALLY DISAPPOINTED
10 THAT NONE OF THE TEACHERS ARE HERE. ARE ANY TEACHERS
11 HERE? ARE ANY ADMINISTRATORS FROM THE SCHOOL HERE?
12 WE'RE REALLY DISAPPOINTED THAT THOSE PEOPLE WHO ARE MOST
13 IMPACTED BY THAT WEREN'T ABLE TO COME. I PASSED OUT
14 MYSELF CLOSE TO A THOUSAND FLYERS AROUND THE
15 NEIGHBORHOOD. SATURDAY, THERE IS NO GOOD TIME TO HAVE A
16 MEETING LIKE THIS. WE'RE TRYING TO RAISE THE
17 CONSCIOUSNESS OF THE PEOPLE ABOUT THIS FACILITY.

18 I HAVE A POINT QUESTION HERE. AQMD RULE 1175 IS
19 VERY CLEAR THAT WITHIN 12 MONTHS OF FAILING TO MEET THE
20 EMISSION REQUIREMENTS THE FACILITY MUST INSTALL AN
21 APPROVED OPERATING SYSTEM TO CAPTURE ALL SOURCES OF
22 MANUFACTURING AND EMISSIONS FROM THE FINAL MANUFACTURED
23 PRODUCT. WHY IS AQMD ALLOWING FALCON FOAM TO OPERATE
24 WITHOUT MEETING THESE REQUIREMENTS? QUESTION MARK.

25 I DON'T KNOW IF WE'RE GOING TO GET THIS

1 RESOLVED. ME PERSONALLY I WOULD LIKE TO JUST HAVE SOME
2 TRANSPARENCY AND CLARITY FROM FALCON FOAM. I WOULD LIKE
3 -- WE COULD GO WITHOUT ANY MORE STEAM TALK. AND I'D LIKE
4 TO JUST BE ASSURED THAT LAUSD GETS INVOLVED AS WELL.
5 BECAUSE I THINK IT'S SHAMEFUL THAT THE TEACHERS AND THAT
6 THE ADMINISTRATORS OF THE SCHOOL AREN'T CONCERNED ENOUGH
7 TO REPRESENT THEMSELVES HERE. THANK YOU.

8 MR. NAZEMI: THANK YOU VERY MUCH.
9 AUDREY HUGHLEY.

10 MS. CASH: SHE HAD TO LEAVE.

11 MR. HERU: WERE YOU GOING TO ANSWER HIS
12 QUESTIONS?

13 MR. NAZEMI: I DID HEAR THE QUESTION, AND I
14 THINK THAT THE ANSWER IS THAT WE ARE NOT GOING TO APPROVE
15 THIS PERMIT AFTER THIS PUBLIC HEARING. WE'RE GOING TO
16 PROVIDE ANOTHER OPPORTUNITY TO ADDRESS SPECIFICALLY SOME
17 OF THE THINGS THAT YOU HAVE BROUGHT UP HERE AND MS.
18 MESZAROS HAS PROVIDED IN HER PRESENTATION.

19 I'M GOING TO BUTCHER THIS NAME, BUT IS IT COSELL
20 OR RUECELL JONES.

21 MR. JONES: MY NAME IS RUECELL JONES. I LIVE AT
22 428 EAST 140TH STREET. I LIVE RIGHT BEHIND FALCON FOAM.
23 I HAD MOVED THERE WHEN IT WAS ONE BUSINESS AND WENT TO
24 ANOTHER. THEY'RE DROPPING THE FOAM. DIESEL TRUCKS,
25 DIESELS, WHEN THEY GO DOWN, THEY DON'T START UP EASILY,

1 SO THEY'RE ON ALL THE TIME. I DROVE TRUCKS. BUT THEY
2 DROP ALL THE TIME DURING THE TIME I'M WATCHING TV AT 2
3 O'CLOCK, BOOM. AND THEN I HEAR THE TRUCKS GOING OUT. I
4 HEAR IT WHEN THEY'RE LOADING. I'M UP ALL THE TIME.

5 I'M RETIRED. AND I'VE BEEN THERE SINCE '64
6 BEFORE FALCON WAS EVEN THERE. AND I JUST -- IT'S JUST
7 NOISY. I HAD TO MOVE ONE ROOM TO THE OTHER SIDE OF THE
8 HOUSE, CLOSE THEM DOORS. AND LIKE I SAID, I -- FALCON
9 FOAM IS HERE AND I LIVE HERE RIGHT BEHIND THEM. THANK
10 YOU.

11 MR. NAZEMI: THANK YOU.

12 RUTH SARNOFF.

13 MS. SARNOFF: MY NAME IS RUTH SARNOFF,
14 S-A-R-N-O-F-F. AND A FEW THINGS. I THINK THAT IT'S
15 IMPORTANT TO REALIZE THAT BECAUSE SOMETHING DOES OR
16 DOESN'T MEET A REQUIREMENT THAT THEREFORE IT'S SAFE. AND
17 I REALLY HAVE TO TAKE ISSUE BECAUSE I DON'T THINK THAT
18 MANY OF THE POLLUTANTS IN OUR ENVIRONMENT HAVE HAD REAL
19 STUDIES DONE IN REGARDS TO YOUNG PEOPLE, BABIES,
20 CHILDREN, PREGNANT WOMEN, CHILDREN IN THE WOMB, WHATEVER.
21 AND SO I THINK THAT WE NEED TO ASK FOR MORE ASTRINGENT
22 STANDARDS.

23 SECONDLY, I WOULD HOPE THAT RATHER THAN WAITING
24 FOR COMPLAINTS, CONSIDERING IF THE FIGURE OF 585
25 VARIANCES IS TRUE. AND I'LL JUST SAY THAT IF THIS MANY

1 VARIANCES HAVE BEEN GIVEN AND THIS IS THE FIRST TITLE V
2 HEARING, THAT'S A REAL SHAME. BECAUSE IT'S REALLY SAYING
3 THAT PEOPLE IN COMMUNITIES ARE NOT BEING ALERTED TO THE
4 POTENTIAL OF WHAT IS GOING ON IN THEIR OWN COMMUNITIES.

5 AND I THINK THE WAY IN WHICH PUBLIC NOTICES ARE
6 PUT IN -- THE WORDING -- THE WORDING OF PUBLIC NOTICES IS
7 REALLY IMPORTANT. BECAUSE YOU CAN EITHER PUT OUT
8 SOMETHING THAT PUTS PEOPLE TO SLEEP OR YOU CAN PUT
9 SOMETHING OUT THAT REALLY JARS PEOPLE SAYING THIS MIGHT
10 BE A PROBLEM. COME ON OUT. I FOUND THIS IS THE CASE
11 WITH MUCH OF THE OUTREACH WORK THAT'S DONE BY L.A.
12 UNIFIED SCHOOL DISTRICT IN REGARD TO SCHOOL CONSTRUCTION
13 AND SITE SELECTION WHERE PUBLIC HEARINGS ARE NOTICED, BUT
14 THE INFORMATION THAT GOES OUT IS SO SANITIZED THAT ONE
15 WOULD NOT KNOW THAT THERE'S A PROBLEM. SO YOU DON'T COME
16 UNLESS YOU THINK YOU'RE GOING TO BE ADDRESSING A SERIOUS
17 ISSUE.

18 I WANT TO ALSO SPEAK ABOUT THE DIESELS. I HAVE
19 NOT HAD MUCH EXPERIENCE WITH DIESELS, BUT I COULD TELL
20 YOU ABOUT THE FACT THAT THE DIESEL TRUCKS ALSO COME
21 DURING THE DAY WHEN THE CHILDREN ARE HERE. AND THEY
22 DON'T SHUT OFF. AND I KNOW IT TAKES A WHILE TO FIRE BACK
23 UP. IN FACT, THE LAWS ALL OVER SOUTHEAST AREA DOWN HERE
24 SAY THEY'RE SUPPOSED TO SHUT DOWN ALL THE TIME REGULARLY
25 AT THE RAILROAD CROSSINGS AND OTHER PLACES WHERE THEY

1 DON'T CLOSE DOWN THEIR TRUCKS, SO YOU HAVE THIS CONTINUAL
2 EMISSION.

3 AND I WANT TO ALSO SPEAK TO THE ISSUE OF THE
4 FACT THAT SO MANY OF THE PEOPLE LIVING IN THE WHOLE
5 SOUTHEAST COMMUNITY HAVE MULTIPLE SOURCES OF POLLUTANTS.
6 AND SO I HAVE TO LIVE WITH THE CUMULATIVE EFFECT. SO NOT
7 ONLY ARE THE STUDENTS HERE AND THE COMMUNITY HERE FACED
8 WITH THE PROBLEMS HERE WITH FALCON, THEY ALSO HAVE A
9 PAINT FACILITY. ON THE DAY I WAS HERE, THEY WERE
10 SPRAYING RIGHT OUT IN THE OPEN AIR OUT HERE SPRAYING
11 CARS. I WAS ALMOST FAINTING OUT THERE. I COULDN'T
12 UNDERSTAND HOW IT COULD EXIST EVEN FOR A DAY.

13 AND, YOU KNOW, SO THE MONITORING OF THE
14 PROCEDURES GOING ON IN AND AROUND HERE, YOU COMBINE THE
15 DIESEL AND YOU COMBINE ALL THE PAINT FUMES AND COMBINED
16 WITH ALL THE FUMES WITH FALCON, AND YOU PUT IT TOGETHER
17 HERE AND YOU HAVE ALL THESE POLLUTANTS, INCLUDING THE
18 REFINERIES. AND THEY HAVE CITED THAT MOST OF THE
19 INDUSTRIAL POLLUTANTS ARE THE BUSES AND THE TRAINS. AND
20 THEY'RE ALL GASSING EVERYBODY.

21 SO LOOK AT IT FROM A HUMAN STANDPOINT. ALL THE
22 STATISTICS AND ALL THE MATH IS ONE THING. WHAT'S
23 ACTUALLY HAPPENING TO HUMANS IS REALLY SAD. AND I WISH
24 SOME OF THE PEOPLE -- YOU SMELL THE BATHROOMS HERE DURING
25 THE WEEK, WHAT KIDS HAVE TO GO THROUGH. THEY DON'T EVEN

1 USE THE BATHROOMS BECAUSE THE SMELL IS SO BAD.

2 SO YOU KNOW, IF WE COULD GET DOWN TO THE REALITY
3 OF WHAT THESE THINGS REALLY ARE ALL ABOUT. AND I WOULD
4 HOPE THAT AFTER THIS MEETING TODAY THAT WE WOULD GATHER,
5 THOSE OF US WHO CARE ABOUT THIS AND TALK ABOUT THE
6 STRATEGY TO OUTREACH TO ALL THIS COMMUNITY HERE MAYBE
7 THIS AFTERNOON. I'M READY TO STAY AND MAKE -- GET OUT
8 SOME VIDEO CAMERAS AND BEGIN TO RECORD THIS.

9 ANOTHER THING I WANTED TO TALK ABOUT IS THE
10 SOIL. YOU KNOW, IF YOU HAVE VARIOUS KINDS OF POLLUTANTS,
11 A LOT OF THESE, IF THEY'RE IN THE AIR, THEY'RE GOING TO
12 HAVE A DIRT ANALYSIS. I DON'T KNOW IF YOU HAD A DIRT
13 ANALYSIS IN YOUR SCHOOL OR TEST IN YOUR BACKYARDS, BUT I
14 WOULD SUGGEST SOME OF THE PEOPLE'S SOIL IS CONTAMINATED.

15 AND IN CLOSING, SOMEONE SAID THAT THEY DIDN'T
16 KNOW WHERE THERE WERE SITUATIONS LIKE THIS NEAR SCHOOLS
17 AND COMMUNITIES, AND I WISH THAT THAT WERE TRUE. BECAUSE
18 I CAN THINK OF MANY OF THEM, SOME WHICH HAVE COME BEFORE
19 L.A. UNIFIED SCHOOL DISTRICT BEFORE. AND PARTICULARLY
20 I'VE BEEN TO BELMONT LEARNING COMPLEX, THAT SCHOOL
21 DOWNTOWN THAT'S ALREADY COST THE TAXPAYERS PRETTY CLOSE
22 TO \$300 MILLION AND WHICH IS GOING TO PROBABLY BE
23 COMPLETED UNLESS THERE'S AN OUTCRY FROM THE COMMUNITY.
24 AND I'VE BEEN ON THAT SITE WHEN IT WAS SO BAD THAT I HAD
25 TO GO LIKE THIS IN ORDER TO BREATHE. NOW THEY'VE CAPPED

1 SOME OF THE WELLS, BUT YOU CAN STILL SMELL SOME OF THAT.

2 AND PEOPLE GET USED TO IT. PEOPLE GET USED TO

3 HAVING A CERTAIN LEVEL OF POLLUTION, AND THEY JUST KIND

4 OF DON'T RESPOND. IT'S KIND OF LIKE KIND OF LIKE THE

5 FROG THAT GETS DROPPED IN THE WATER THEY DON'T QUITE KNOW

6 THEY GOT TO JUMP OUT. AND IF YOU LIVE IN A COMMUNITY

7 THAT'S ALWAYS POLLUTED, YOU THINK THAT'S NORMAL. AND I

8 WELCOME AND THANK EVERYBODY THAT TOOK THE TIME AND EFFORT

9 TO COME HERE TODAY. AND I HOPE THAT WE'LL HAVE TEN TIMES

10 OR A HUNDRED TIMES AT THE NEXT HEARING.

11 I WAS AT A HEARING WHEN THEY WERE GOING TO PUT A

12 REFINERY IN THE BALDWIN HILLS AREA, AND THERE WAS OVER A

13 THOUSAND PEOPLE THERE. THERE WERE -- THERE WAS PEOPLE

14 THAT CAME DOWN FROM SACRAMENTO IN THE HEARING. THEY

15 ALMOST FAINTED. THE WHOLE AUDITORIUM, ALL THE BALCONIES

16 IN BACK THERE AT THE CAMPUS, IT WAS SOMETHING ELSE. AND

17 YOU KNOW, THEY HAD OVER A THOUSAND PEOPLE AT THAT

18 HEARING. BUT WE MIGHT HAVE THAT ONE DAY. AND MAYBE WE

19 DON'T HAVE THAT MANY PEOPLE HERE NOW, BUT WE WILL WAKE UP

20 ALL OF LOS ANGELES AS TO SOME OF THESE ISSUES. AND I

21 THANK YOU A LOT.

22 MR. NAZEMI: THANK YOU VERY MUCH.

23 EVA HOLMES, DR. EVA HOLMES.

24 DR. HOLMES: I AM EVA HOLMES, COMMUNITY

25 ACTIVIST. I AM JUST APPALLED AT THE BUREAUCRACY THAT WE

1 HAVE TO GO THROUGH JUST BY BEING HUMAN BEINGS. OUR
2 CHILDREN DESERVE THE BEST THAT CAN BE OFFERED. AND FOR
3 LAUSD TO HAVE SOME SCHOOLS LOCATED THAT CLOSE TO THESE
4 KINDS OF FACILITIES IS INHUMANE.

5 MAY I SAY TO THE PARENTS AND TO THE COMMUNITY IT
6 IS GREAT THAT YOU'RE HERE. AND WE ALL ARE AWARE THAT WE
7 HAVE MANY CHALLENGES. THE BREATHING OF CLEAN AIR IS JUST
8 ONE OF THEM, BUT YOU HAVE TO START SOMEWHERE. LOOK AT
9 WHAT WE HAVE BEEN DEALING WITH. AND THIS IS A POSITIVE
10 STATEMENT, BUT I DON'T THINK THAT THE ANSWER IS HERE. I
11 THINK YOU'RE GOING TO HAVE TO GO A LITTLE HIGHER.
12 BECAUSE THERE'S SOMETHING SERIOUSLY WRONG. AND I CAME TO
13 GET INFORMATION, AND I GOT MORE INFORMATION THAN I REALLY
14 NEED. BUT I DO SAY TO THE COMMUNITY DON'T GIVE UP. OUR
15 CHILDREN ARE SO PRECIOUS.

16 AND LAUSD, WE'RE NOT EDUCATING OUR CHILDREN IN
17 THE FIRST PLACE, BUT AT LEAST HAVE THE SCHOOLS IN AN
18 ENVIRONMENT WHERE THE CHILDREN CAN BREATHE. THANK YOU.

19 MR. NAZEMI: THANK YOU, DR. HOLMES.

20 RICHARD ARTHUR.

21 MR. ARTHUR: THAT'S RICHARD ARTHUR. ONE OF THE
22 THINGS I MUST AGREE THE GENTLEMAN THAT SAID IT'S A SHAME
23 THAT THE PEOPLE THAT WORK HERE, TEACHERS, AND CUSTODIANS
24 AND THE KIDS AND PARENTS THAT GO TO SCHOOL HERE, THE ONES
25 BEING AFFECTED THE MOST, AND THEY'RE THE ONES THAT AREN'T

1 DOING MUCH ABOUT IT.

2 AND MANY OF YOU HAVE MENTIONED L.A. UNIFIED. I
3 WAS A TEACHER, A PRINCIPAL, AND ADMINISTRATOR FOR THE
4 DISTRICT. I'VE BEEN RETIRED FOR QUITE A WHILE. AND I'VE
5 BEEN FIGHTING THIS BATTLE FOR OVER 50 YEARS, AND I
6 HAVEN'T BEEN DOING TOO WELL. I HAVE TO ADMIT IT. I'M
7 NOT JUST CONCERNED ABOUT THE ENVIRONMENT, BUT THE
8 ENVIRONMENT IS SO IMPORTANT FOR KIDS. THAT'S UNLESS
9 YOU'VE BEEN IN ROOMS WITH KIDS AND YOU'VE ACTUALLY DONE
10 WHAT I'VE DONE AND BEEN UP CLOSE WITH THEM AND GONE TO
11 SEE THE PARENTS AND SEE SOME OF THEM DIE AND HEAR THEM
12 WHEEZING. AND THEN MY COWORKERS DYING LIKE THEY WERE
13 DOING ALL THE TIME.

14 I DIDN'T KEEP A RECORD OF ANYTHING. I HAVE NO
15 WAY OF KNOWING HOW MANY PEOPLE HAVE BEEN AFFECTED BY THE
16 TOXINS IN THIS AREA. NO WAY AT ALL. I DON'T THINK
17 THERE'S ANY STUDIES. I'M NOT PICKING ON THESE PEOPLE OR
18 THESE PEOPLE. I THINK THEY'RE DOING THEIR BEST UNDER THE
19 CIRCUMSTANCES.

20 WHO'S THE LADY THAT SAYS IT GOES HIGHER THAN
21 HERE? ONE OF THE THINGS ABOUT IT IS THAT THE KIDS AREN'T
22 GETTING AN EDUCATION ANYWAY. IF THEY CAME TO ME IN HIGH
23 SCHOOL, THEY COULDN'T READ. SO I DIDN'T TEACH HISTORY OR
24 SCIENCE OR SOMETHING. I TAUGHT READING. MY SENIORS
25 COULDN'T READ. SENIORS, THEY COULDN'T PRONOUNCE THE

1 PLEDGE OF ALLEGIANCE, THE PLEDGE; COULDN'T SPELL IT.
2 SENIORS DIDN'T KNOW WHAT THE WORD MEANT AND THEY FORCED
3 THEM TO SAY THIS PLEDGE. THEY NEVER HEARD OF THE WORD
4 ALLEGIANCE. THEY COULDN'T TELL ME WHAT ALLEGIANCE MEANT.
5 AND REPUBLIC, THEY PRONOUNCED IT PUBLIC BECAUSE THEY
6 DIDN'T KNOW THE DIFFERENCE.

7 AND SO THAT'S WHAT WAS BOTHERING ME. THEN I
8 WENT -- FOR YEARS I DIDN'T HAVE ANY BOOKS. I COULDN'T
9 BELIEVE THAT THEY WOULDN'T GIVE ME BOOKS FOR MY STUDENTS.
10 AND I WAS TELLING A LOT OF PEOPLE THAT I WENT AND STOLE
11 BOOKS FROM THE L.A. SCHOOL DISTRICT BECAUSE THEY WERE
12 BURNING BOOKS. THEY WERE BOOK BURNING. ALL THESE NEW
13 BOOKS COME IN AND THEY BURN THEM. THE SCHOOL SENDS THE
14 BOOKS BACK, AND THEY BURN THEM AND ORDER NEW BOOKS
15 BECAUSE THEY HAVE TO SPEND THE MONEY.

16 THE BUREAUCRACY IS SUCH A MESS. AND NO ONE
17 CARES ABOUT THOSE KIDS. AS FAR AS I'M CONCERNED, NO ONE
18 CARES BECAUSE NOTHING HAS CHANGED IN OVER 50 YEARS. I
19 FOUGHT THE DISTRICT TO GET ASBESTOS REMOVED. I ALONE
20 FOUGHT THE DISTRICT TO GET IT OUT OF JEFFERSON HIGH
21 SCHOOL WHERE I WAS A TEACHER. BUT I COULDN'T GET THEM TO
22 DO IT ANY PLACE ELSE.

23 THERE'S A GENTLEMAN I WORKED WITH, HE TALKED
24 ABOUT ASBESTOS ALL THE TIME. THE DISTRICT WOULDN'T DO
25 ANYTHING. THE DISTRICT IS DYSFUNCTIONAL. SPECIAL ED

1 PROGRAMS, WE GAVE YOU A -- SOME INFORMATION. NO, WE
2 DIDN'T GIVE YOU THAT, DID WE?

3 I'M WITH THE ACLU, WITH -- LULAC HAS BEEN
4 INVOLVED WITH THIS STUFF, UNITED -- LEGAL UNITED LATIN
5 AMERICAN CITIZENS. AND SOMETHING MIGHT HAVE BEEN GIVEN
6 OUT TO YOU. SO I WAS GOING AROUND WITH LULAC TRYING TO
7 GET THE COMMUNITY CONCERNED. WE FOUGHT -- THAT BELMONT
8 MESS HAS BEEN AROUND FOR TEN YEARS, THE MASSIVE MESS
9 BECAUSE THERE ARE TOXINS AT THEIR SITE. JEFFERSON, THE
10 NEW JEFFERSON MIDDLE, LOADED WITH TOXINS. ALL OF THIS IS
11 GOING ON AND KIDS ARE BEING HURT. PEOPLE DON'T EVEN KNOW
12 THAT THEY'RE BEING HURT.

13 OVER AT BELMONT IT WAS DIFFICULT TO GET ANYONE
14 TO REALIZE THAT YOU ARE BEING HURT EVERY DAY. THE
15 HYDROGEN SULFIDE IS THAT -- THE STUFF YOU -- THAT SMELLS
16 LIKE ROTTEN EGGS. I SMELLED IT ALL THE TIME. NOW, IF
17 THEY DIDN'T SMELL IT, I DON'T KNOW WHAT WAS GOING ON.
18 AND THAT'S WHERE MY STUDENTS WERE LIVING, RIGHT THERE.
19 SO WE TRIED TO GET THE DISTRICT TO NOT BUILD THAT STUPID
20 BELMONT, AND THEY BUILT IT ON THE WORST TOXIC SITE IN THE
21 WORLD, RIGHT DOWNTOWN IN L.A. ON BEAUDRY.

22 AND THE BELMONT THING IS SUCH A MESS. THEY --
23 IT COSTS ABOUT 300 MILLION SO FAR. THEY'RE GOING TO TEAR
24 THE BUILDINGS DOWN. IT LOOKS LIKE A PRISON. I DON'T
25 KNOW IF YOU HAVE EVER DRIVEN BY IT. AND THEY'RE GOING TO

1 TEAR THE BUILDINGS DOWN AND BUILD NEW BUILDINGS. THEN
2 MAYBE FIVE OR TEN YEARS FROM NOW THEY'RE GOING -- IF
3 TEACHERS ARE THAT CRAZY, THEY DESERVE TO DIE. THEY DON'T
4 DESERVE TO BE TEACHERS IF THEY WILL WORK AT BELMONT HIGH
5 SCHOOL AFTER IT'S FINISHED AND NOT FIGHT TO KEEP IT
6 CLOSED.

7 AND IF YOU THINK THAT BELMONT WOULDN'T AFFECT
8 THIS AREA, YOU'RE WRONG. YOU'RE ABSOLUTELY WRONG. IT'S
9 GOING TO AFFECT THE WHOLE BASIN. BECAUSE THAT STUFF GOES
10 IN THE AREA AND KIDS IN EVERY SCHOOL WILL BE AFFECTED IF
11 THEY GET AWAY WITH BUILDING THAT PLACE. I DON'T EVEN
12 KNOW WHAT THE STATE'S DOING AND WHY THEY'RE ALLOWING THE
13 SCHOOL BOARD TO DO THESE THINGS.

14 AND SOMEONE MENTIONED IT'S NOT JUST ONE OR TWO
15 SCHOOLS, IT'S -- THEY'RE BUILDING OVER A HUNDRED NEW
16 SCHOOLS IN TOXIC SITES TODAY. THEY'RE BUILDING SCHOOLS
17 RIGHT NOW WHERE THEY'RE GOING TO PUT KIDS. SO, YOU KNOW,

18 I'M REALLY CONCERNED. I GUESS YOU COULD TELL BECAUSE
19 I'VE BEEN TALKING ABOUT THIS FOR SO LONG.

20 WE FOUGHT OVER IN PLAYA VISTA. AND YOU CAN'T
21 WIN BECAUSE THE CITY COUNCIL WANTS TO PUT PEOPLE IN THAT
22 AREA WITH ALL THOSE TOXINS. AND IF THEY'RE STUPID ENOUGH
23 TO PUT MILLION DOLLAR HOMES IN PLAYA VISTA, THEY DESERVE
24 TO GET CANCER OR WHATEVER THEY'RE GOING TO GET. BECAUSE
25 THE WHOLE THING, IT'S JUST SO HORRIBLE. WELL, MONEY, YOU

1 MAKE A LOT OF MONEY BUILDING HOMES IN PLAYA VISTA. AND
2 THEN YOU GET RID OF ALL THE HABITAT, YOU KNOW. THEY'RE
3 GOING TO SAVE A LITTLE BIT OF THAT.

4 I DON'T WANT TO TAKE ANY MORE TIME WITH THAT,
5 BUT I WANT YOU TO KNOW TO STAY INVOLVED AND KEEP FIGHTING
6 THIS. THANK YOU.

7 MR. NAZEMI: THANK YOU VERY MUCH, MR. ARTHUR. I
8 STILL HAVE SEVEN MORE CARDS, AND IT'S 1 O'CLOCK. DOES
9 ANYBODY NEED TO GET OUT OF HERE FIRST? MAYBE I CAN HAVE
10 YOU OUT OR SHOULD I JUST GO THROUGH THE CARDS.

11 JACQUE LIMBRICK.

12 MS. LIMBRICK: JACQUE LIMBRICK, AND I LIVE ON
13 140TH RIGHT BEHIND YOUR FACTORY. AND I JUST HAVE A FEW
14 QUESTIONS FOR YOU. I WOULD LIKE TO KNOW HOW FAR AWAY ARE
15 YOU SUPPOSED TO -- HOW FAR AWAY YOU'RE SUPPOSED TO PARK
16 YOUR TRUCKS AWAY FROM THE BRICK WALLS?

17 MR. OGAWA: THE ONLY TIME WE CAN BE IN THE AREA
18 IS WHEN THEY'RE LOADING. OTHER THAN THAT, WE DON'T PARK
19 THE TRUCKS THERE.

20 MS. LIMBRICK: I THOUGHT THEY WEREN'T SUPPOSED
21 TO BE PARKED THERE AT ALL.

22 MR. OGAWA: DURING LOADING THEY ARE. THEY'RE
23 NOT -- THEY'RE NOT ABLE TO BE STORED THERE OVERNIGHT OR
24 BEING STORED. BUT WHILE THEY'RE BEING LOADED, THEY CAN
25 BE NEXT TO THAT AREA.

1 MS. LIMBRICK: HOW ABOUT THE FOAM? HOW FAR AWAY
2 ARE YOU SUPPOSED TO STACK YOUR FOAM AWAY FROM THE BRICK
3 WALL, MY BRICK WALL.

4 MR. OGAWA: I BELIEVE IT'S 30 FEET.

5 MS. LIMBRICK: AND YOU'RE RIGHT ON THE WALL. I
6 JUST WANT YOU TO ANSWER THESE QUESTIONS I'M ASKING, BUT I
7 WANT TO ASK -- I ALREADY KNOW THE ANSWERS, BUT I WANT YOU
8 TO GIVE ME SOME ANSWERS. ALSO I WOULD LIKE TO KNOW
9 WHAT'S GOING ON WITH THAT BARBED WIRED ON MY BRICK WALL,
10 WHICH IS VERY DANGEROUS? WHY IS THAT BARBED WIRE THERE?
11 AND CAN IT BE REMOVED.

12 MR. OGAWA: IT CAN BE REMOVED.

13 MS. LIMBRICK: IT'S BEEN THERE SEVERAL YEARS.
14 WHEN WILL YOU REMOVE IT?

15 MR. OGAWA: GIVE ME 15 DAYS.

16 MS. LIMBRICK: OKAY. I CAN DO THAT. AND ALSO
17 YOU HAVE EMPLOYEES THERE, OF COURSE, WE CAN HEAR THE
18 MUSIC AND WE CAN HEAR THEM TALKING, THE SPANISH MUSIC,
19 SPANISH TALKING ALL LOUD DURING THE DAY, DURING THE
20 NIGHT, ALL OF THAT. WHAT ARE YOU GOING TO DO TO TAKE
21 CARE OF THAT? WE CAN HEAR THEM PLAYING --

22 MS. CASH: NO CONSIDERATION FOR THE COMMUNITY.

23 MS. LIMBRICK: SO HOW MANY DAYS DO YOU THINK YOU
24 CAN TAKE CARE OF THAT.

25 MR. OGAWA: I'M NOT EXACTLY SURE I CAN ADDRESS

1 THE MUSIC. THE PEOPLE THAT ARE OUT THERE, THEY NEED TO
2 COMMUNICATE WITH EACH OTHER. I'M NOT --

3 MS. CASH: BECAUSE YOU DON'T CARE.

4 MS. LIMBRICK: ALSO I WOULD LIKE TO KNOW ABOUT
5 YOUR PRODUCT. WHY IS IT ALWAYS IN MY BACK AND FRONT
6 YARD, THE BEADS. MR. JOHNSON CAME OVER AND GAVE ME THE
7 NOTICE, AND I SHOWED HIM THE BEADS IN MY FRONT YARD ON
8 THE GROUND THERE. SO WHAT ARE YOU GUYS GOING TO DO ABOUT
9 KEEPING THAT ON YOUR SIDE.

10 MR. OGAWA: WE CONTINUE TO HAVE OUR WIND SCREENS
11 ON OUR SIDE. WE WILL BE RESPONSIBLE TO CLEAN IT UP.
12 THAT'S BEEN OUR CONTENTION SINCE THE BEGINNING. AS FAR
13 AS HOW IT'S GETTING THERE, WE MUST HAVE A RIP IN OUR WIND
14 SCREEN OR SOMETHING THAT'S GETTING THERE. AGAIN, IF YOU
15 HAVE THOSE ISSUES, YOU CAN GIVE ME A CALL, AND I WILL
16 MAKE SURE IT GETS TAKEN CARE OF.

17 MS. LIMBRICK: OKAY. I'M GOING TO -- I'M GOING
18 TO ASK YOU ABOUT THE TRUCKS NOW. NOW, I HAD A PROBLEM
19 WITH THE TRUCK, AND IT STAYED ON MY BACK WALL FOR HOURS.
20 I CALLED -- YEAH, I CALLED UP THERE. ANYWAY, A YOUNG
21 LADY, I BELIEVE HER NAME WAS LUCY, AND A GENTLEMAN CAME,
22 AND SHE TELLS ME -- I ASK, "WHY IS YOUR TRUCK UP AGAINST
23 MY WALL?" SHE TELLS ME, "WE HAVE NOWHERE ELSE TO PUT
24 THEM." I TOLD HER, "THAT'S NOT MY PROBLEM. I WANT IT
25 OFF MY WALL. PRONTO."

1 NOW, SHE TELLS ME, "WHAT IF I PARK IT FURTHER
2 DOWN IN FRONT OF THE -- BEHIND THE OTHER HOUSES? WOULD
3 YOU HAVE A PROBLEM?" AND I SAID, "YES, I WOULD. BECAUSE
4 WE'RE DOING THIS AS A COMMUNITY. WE'RE TRYING TO CLEAN
5 UP OUR YARDS, CLEAN UP OUR PROPERTY, AND EVERYTHING ELSE.
6 ALL OF THEM WANT IT REMOVED." SHE TELLS ME WHAT IF SHE
7 CAN MOVE IT AWAY FROM MY HOUSE. THAT'S NOT GOOD.

8 MR. OGAWA: AGAIN, WHILE WE ARE LOADING OUR
9 PRODUCT, WE'RE LOADING IN OUR -- WE DO HAVE A STORAGE ON
10 SAN PEDRO STREET, SAN PEDRO AND COMPTON WHERE WE STORE
11 OUR TRAILERS. HOWEVER, WHEN WE ARE LOADING TRUCKS, WE
12 ARE LOADING IN THAT AREA.

13 MS. LIMBRICK: THAT'S NOT FAIR. BECAUSE THAT'S
14 WHERE ALL THE NOISE COMES FROM, THE GATES DROPPING ON THE
15 GROUND. THAT'S WHERE -- CAN'T YOU GUYS MOVE? POINT
16 BLANK. CAN'T YOU GUYS JUST MOVE? THAT'S WHAT I WANT,
17 AND THAT'S WHAT I'M GOING TO FIGHT FOR. SO WHAT DO YOU
18 THINK?

19 MR. OGAWA: CAN WE MOVE? THAT ISSUE IS
20 SOMETHING THAT WOULD HAVE TO BE COMING FROM OUR -- THE
21 PEOPLE THAT OWN US. THEY HAVE LOOKED. I DON'T KNOW HOW
22 CLOSE THEY ARE TO COMING UP WITH ANYTHING ON THAT. BUT
23 THAT WOULDN'T BE A DECISION THAT I WOULD MAKE.

24 MS. LIMBRICK: MOVING. OKAY. THAT WOULDN'T BE
25 YOUR DECISION, THAT'S WHAT YOU'RE SAYING?

1 MS. CASH: THOSE ARE THE THINGS YOU GUYS
2 PROMISED BACK IN THE MEETING IN OCTOBER, AND YOU DIDN'T
3 DO ANY OF THEM. YOU CAN READ THE LIST TO HIM, JACQUE.
4 MS. LIMBRICK: WELL, I BASICALLY ASKED WHAT I
5 NEEDED TO ASK.
6 MS. CASH: YOU SAID YOU'RE GOING TO CEASE
7 ALLOWING TRUCKS TO ENTER AND BE LOUD IN THE YARD AFTER 8
8 P.M. WHAT HAPPENED WITH THAT ANY LOADING AFTER 8 P.M.?
9 WILL NOT STACK FINAL PRODUCTS AFTER 8 P.M. SO WHAT
10 HAPPENED WITH THAT? THAT'S NOT HAPPENING. AFTER 8 P.M.
11 YOU'RE STILL DOING THAT. SO AGAIN, THIS IS FROM -- THIS
12 IS FALCON FOAM AS YOU CAN ALL SEE, FALCON, ATLAS ROOFING.
13 SO WHAT HAPPENED WITH THAT?
14 WHAT HAPPENED TO FINISH REPLACING THE WALL?
15 MR. JONES, RIGHT HERE WE HAVE A PICTURE OF HIS WALL. HIS
16 WALL IS STILL BROKEN. AND IT'S DAMAGED FROM FALCON FOAM.
17 WHAT HAPPENED WITH THAT? YOU WERE GOING TO CONSULT WITH
18 THE ENGINEERING COMPANY TO STUDY FEASIBILITY OF DESIGNING
19 A STEAM EXHAUST MUFFLER TO LESSEN THE STEAM RELEASE.
20 WHAT HAPPENED WITH THAT? WE NEVER HEARD ANYTHING BACK
21 FROM YOU ON THAT. YOU SAID YOU PRESENTED PROPOSALS ALONG
22 WITH TWO QUOTES TO OUR PRESIDENT TO BUILD A SOUND WALL.
23 YOU KNOW THAT'S A PROBLEM, BUT YET WE HAVE NOT HEARD
24 ANYTHING BACK FROM YOU.
25 MR. OGAWA: WE'RE WAITING FOR A REPRESENTATIVE

1 FROM THE NEIGHBORHOOD TO COLLECT THE SAMPLE.

2 MS. CASH: HOW CAN WE COLLECT RESIDUE? THE
3 RESIDUE IS A LIQUID? HOW CAN YOU SAMPLE THAT. WE HAVE
4 ADDRESSED MANY CONCERNS WITH YOU, AND YOU TURNED YOUR
5 BACK ON US. YOU CAN CARE LESS ABOUT IT, BUT YET YOU
6 RESPOND WITH LITTLE NOTES THAT SAY WE'RE GOING TO DO
7 THIS.

8 MS. LIMBRICK: YOU'RE TRYING TO PACIFY IT.

9 MS. CASH: YOU HAVE A CAVALIER RESPONSE. YOU
10 SAY WE'RE GOING TO DO THIS AND PROMISES THAT HAVE NO
11 BASIS. THEY'RE VERY INSULTING TO US. YOU DEMONSTRATE
12 TIME AND TIME AGAIN NOT ONLY WITH YOUR VIOLATION, BUT
13 WITH YOUR PROMISES THAT YOU DON'T CARE ABOUT YOUR
14 COMMUNITY. YOU DON'T HAVE VALUE OF YOUR IMPACT, NEGATIVE
15 IMPACT ON OUR HEALTH. YOU DON'T CARE ABOUT THESE KIDS
16 HERE. YOU DIDN'T DO ANY OF THOSE THINGS ON HERE WHICH
17 YOU HAVE IN WRITING, IN WRITING.

18 MR. NAZEMI: BY THE WAY, FOR THE COURT RECORDER,
19 THE LAST FEW COMMENTS WERE BY KAREN CASH. WE GOT A FEW
20 MORE CARDS. A NUMBER OF ISSUES YOU'RE BRINGING UP, AND I
21 APPRECIATE THIS OPPORTUNITY TO DEAL WITH THOSE ISSUES AS
22 WELL, BUT SOME OF IT WE DON'T HAVE MUCH CONTROL OVER SUCH
23 AS NOISE AND SOUND AND ALL THAT. BUT ANY OF THEM THAT
24 RELATE TO AIR POLLUTION, I WOULD LIKE TO OFFER OUR
25 ASSISTANCE IN TERMS OF TRYING TO RESOLVE THAT. AND SO IN

1 FACT, I'M GOING TO -- GOING TO WORK WITH MY STAFF TO MAKE
2 SURE WE SET UP A COUPLE SAMPLING PLATES IN THE
3 NEIGHBORHOOD TO COLLECT ANYTHING AIR POLLUTION RELATED TO
4 SEE WHAT KIND OF MATERIAL IS BEING DEPOSITED AND TO SEE
5 IF IT'S COMING FROM FALCON OR OTHER SOURCES.

6 ELIZA THOMPSON.

7 MS. THOMPSON: MY NAME IS ELIZA THOMPSON. I'M
8 AN ADVOCATE FOR CHILDREN WITH CHILDREN WITH AS WELL AS AN
9 ACTIVIST IN L.A. COMMUNITIES. AND MY CONCERN IS THESE
10 CHILDREN, THEY'RE INNOCENT. THEY WEREN'T ASKED TO BE
11 BORN IN THIS WORLD. THEY DIDN'T CHOOSE TO BE PLACED OVER
12 THERE THROUGH LAUSD. WE NEED TO PROTECT THE HEALTH OF
13 THESE CHILDREN. I MEAN WILL IT -- FALCON, ALSO THE
14 DISTRICT, AND LAUSD, WHAT I WOULD LIKE TO SEE IS ALL
15 THREE TO GET TOGETHER AND COME AND HELP THESE CHILDREN.

16 IF ONE MORE CHILD DIES FROM THIS SECTOR HERE, I
17 DON'T KNOW WHAT'S GOING TO HAPPEN. IT HAS BEEN TOO MANY
18 PEOPLE IN LESS THAN TEN MONTHS, IN LESS THAN A YEAR. I
19 DON'T KNOW IF YOU HAVE BEEN GETTING INFORMATION ABOUT
20 THIS. I DON'T KNOW IF LAUSD HAS BEEN GETTING
21 INFORMATION. I KNOW I HAVE BEEN HAVING A MEETING WITH
22 STAFF MEMBERS TO LET THEM KNOW THERE'S A PROBLEM HERE AT
23 THIS SCHOOL SITE WITH THIS SOIL. AND I WOULD LIKE TO SEE
24 FOR EACH AND EVERY ONE OF YOU ALL TO GET TOGETHER TO DO
25 SOMETHING ABOUT THIS. LIKE THE LADY SAID IF YOU CAN'T DO

1 ANYTHING ABOUT THE PROBLEM, THEN MOVE BECAUSE CHILDREN'S
2 HEALTH IS MORE IMPORTANT THAN MAKING A BUCK. THANK YOU.

3 MR. NAZEMI: THANK YOU, ELIZA.

4 CHARLES LEWIS.

5 MR. LEWIS: CHARLES LEWIS FROM THE COMMITTEE FOR
6 ETHICS AND GOVERNMENT. IT IS YOU, THE CITIZENS, WHO CAN
7 MAKE THESE PEOPLE DO WHATEVER YOU CHOOSE TO MAKE THEM DO.
8 THEY HAVE FIRE INSURANCE. THEY CAN BE -- TAKE YOUR POWER
9 INTO YOUR OWN YOUR HANDS AND DO FORGET ABOUT WHAT YOU
10 HEAR. JUST DO WHAT YOU THINK NEED BE DONE. TEN YEARS,
11 TWO YEARS, SIX MONTHS -- DON'T TRIP LIKE THAT. WHETHER
12 YOU DECIDE THAT AS A COMMUNITY, JUST DO IT, AND YOU'LL BE
13 SURPRISED HOW THINGS CHANGE. THEY WORK FOR YOU.

14 MS. LIMBRICK: THAT'S WHAT I PLAN TO DO, JUST DO
15 IT.

16 MS. NAZEMI: ROBINA SUWOL.

17 MS. SUWOL: HI. MY NAME IS ROBINA SUWOL. I'M
18 THE EXECUTIVE DIRECTOR OF CALIFORNIA SAFE SCHOOLS. I
19 WANT TO THANK CHARLES LEWIS AND MAYA AND ANGELA, AND JOE
20 LYOU FOR MAKING ME AWARE OF THESE ISSUES I ADDRESSED
21 EARLIER WITH LAUSD. THEY SHOULD HAVE RECORDS THAT
22 REFLECTED THESE EFFORTS AND HAVE THESE ISSUES ADDRESSED.
23 AND I'M SORRY, BUT I DON'T UNDERSTAND WHY AQMD SAID THAT
24 THERE WERE NO RECORDS THAT THEY HAVE ANY CALLS. BECAUSE
25 THERE WERE SO MANY CALLS THAT WENT ON IN REGARD TO THIS.

1 AND I HOPE IN THE PRESENTATION THAT ANGELA MADE THAT SOME
2 OF THE CITATIONS MAY HAVE BEEN AS A RESULT OF THIS
3 COMMUNITY'S EFFORTS, SO I THANK YOU FOR THAT.

4 SO HAVING SAID THAT, I HAVE JUST A COUPLE OF
5 QUESTIONS, PLEASE. YOUR HEALTH RISK ASSESSMENT PUTS THE
6 CANCER RISK JUST UNDER A HALF IN A MILLION AND ACUTE
7 CHRONIC IS LOWER. SO THESE RATES, HOWEVER, ARE BASED ON
8 THE NEAREST PERSON BEING 500 METERS AWAY. AND THE
9 SCHOOLS, AS WE ALL KNOW, ARE MORE LIKE 10 METERS AWAY.
10 SO THE QUESTION, WHAT IS THE HEALTH IMPACT OF THE
11 EMISSIONS FROM FALCON FOAM ON THE CHILDREN AT SCHOOLS IN
12 THE AREA, IN PARTICULAR THOSE SPECIAL NEEDS CHILDREN HERE
13 AT BANNEKER AND AVALON GARDENS AND WHAT ARE YOUR RISK
14 NUMBERS BASED ON?

15 AND SECONDLY, DOES THE HEALTH RISK INCLUDE
16 EMISSIONS FROM TRUCKS OR IS IT ACCUMULATIVE AND
17 SYNERGISTIC EFFECTS OF OTHER POLLUTING SOURCES? BECAUSE
18 WE KNOW THERE'S AN AUTO BODY SHOP NEXT DOOR. AND
19 SOME OF THESE CHILDREN ARE ON OXYGEN AT THIS FACILITY.
20 AN EXAMPLE OF OTHER POLLUTING SOURCES, JUST TO BE VERY
21 SPECIFIC, WOULD BE THE AUTO BODY SHOP LIKE I JUST SAID
22 NEXT DOOR OR THE OTHER, 150 SOURCES CITED BY ANGELA IN
23 HER PRESENTATION.

24 AND DO YOU HAVE ANY KIND OF TOXICOLOGICAL DATA
25 ON THE EFFECTS TO THE SPECIAL NEEDS CHILDREN? I THINK

1 THAT'S A REALLY CRITICAL ISSUE. AND FINALLY, IS THERE A
2 PLAN TO RESPOND IN A WRITTEN FORMAT TO ALL OF THE
3 QUESTIONS RAISED TODAY?

4 AND I'M GOING TO TAKE OFF MY HAT, IF I CAN, FOR
5 A MOMENT AS WORKING WITH A NON-PROFIT ORGANIZATION, AND
6 AS A PARENT I JUST WANT TO ADDRESS AN ISSUE, WHICH IS IF
7 I HAVE A PIECE OF EQUIPMENT THAT I KNOW IS NOT
8 FUNCTIONING WELL, I DON'T TURN IT ON. AND I CERTAINLY DO
9 NOT TURN IT ON WHEN I KNOW THERE ARE CHILDREN AROUND. SO
10 WHY THIS FACILITY CONTINUES TO FUNCTION KNOWING THAT IT
11 IS NOT BEING MAINTAINED, IS BEYOND MY BELIEF. AND I
12 THINK THERE'S AN ACCOUNTABILITY ISSUE AND THERE'S A
13 HEALTH RISK ISSUE. AND I WILL REALLY BE REMISS TO STATE
14 THAT THERE IS AN ENVIRONMENTAL INJUSTICE ISSUE. SO I
15 THANK YOU VERY MUCH.

16 MR. NAZEMI: THANK YOU VERY MUCH. WE WILL
17 COMMIT TO WORK WITH THE L.A. UNIFIED DISTRICT. AND IF
18 YOU WANT TO PARTICIPATE IN SOME OF OUR EFFORT, I THINK
19 THAT'S A GREAT SUGGESTION.

20 OKAY. DORIS IVEY, 403 MARVIN STREET.

21 MS. CASH: SHE SPOKE EARLIER. SHE WAS SICK, BUT
22 SHE FELT IT WAS THAT IMPORTANT TO BE AT THE MEETING.

23 MR. NAZEMI: THANK YOU.

24 MS. CASH: YOU'RE WELCOME.

25 MR. NAZEMI: ZELLA KNIGHT.

1 MS. KNIGHT: GOOD AFTERNOON. I'M ZELLA KNIGHT.
2 THE IMPACT OF WHAT'S GOING ON HERE IS NOT JUST IN THIS
3 COMMUNITY. I RESIDE IN THE VALLEY. AND THE REASON I
4 CAME TO THIS COMMUNITY IS BECAUSE A PASSIONATE PARENT HAD
5 THE FORESIGHT TO FIGHT WITH WHAT'S GOING ON BEHIND THIS
6 SCHOOL. THE UNFORTUNATE THING IS THAT PASSIONATE PARENT
7 IS BEING RETALIATED AGAINST.

8 AND CHRISTOPHER, THIS IS A CHALLENGE TO YOU WITH
9 LAUSD. THIS HAS BEEN A PROBLEM WITH LAUSD AND IN REGARDS
10 TO PARENTS BEING RETALIATED AGAINST IN REGARDS TO ISSUES
11 EXTENDING IN THE SCHOOLS, PARTICULARLY THE ENVIRONMENTAL
12 ISSUE. SO I CHALLENGE YOU TO GET THAT RESOLVED. BECAUSE
13 WITHOUT PARENTS, LAUSD WOULD NOT HAVE THE FUNDING SOURCE
14 TO CONTINUE EXISTENCE.

15 TO FALCON, IT'S NOT PLACING BLAME ON YOU, IT'S
16 ABOUT ACCOUNTABILITY AND RESPONSIBILITY. I DON'T LIVE
17 HERE IN THIS COMMUNITY. BUT WHEN I COME TO VISIT MY GOD
18 DAUGHTER WHO IS AT THIS SCHOOL, I ENCOUNTER THIS THAT HAS
19 BEEN EXPLAINED TO YOU. I NOW SUFFER MIGRAINE HEADACHES
20 FOR THE PAST TWO WEEKS THAT I CAN'T GET A JUSTIFICATION
21 FOR ALL BECAUSE I SAT IN A CAR TO PICK UP MY GOD
22 DAUGHTER. THAT LITTLE STEAM THAT YOU SAY EXISTS, IT'S
23 ACTUALLY A LARGE PROPORTION OF STEAM. I ACTUALLY WATCHED
24 THE WHITE STUFF COME OUT OF THERE AND DOT ON THE GROUND
25 AND DOT IN THE CARS. I ACTUALLY HAVE TO GO THROUGH

1 EXPERIENCE OF HAVING EYE IRRITATION.

2 I PRIDE MYSELF TO BE A VERY HEALTH-CONSCIOUS
3 PERSON. IMAGINE WHAT THOSE POOR, ACTUALLY SPECIAL NEEDS
4 CHILDREN CANNOT RESPOND THE WAY WE CAN. THEY EXPERIENCE
5 THAT ON A DAILY BASIS, INCLUDING MY GOD DAUGHTER. I
6 DON'T LIKE TO SEE HER GOING THROUGH THE EXPERIENCE OF
7 HAVING A BREATHING TREATMENT, AND SHE CAN'T RESPOND TO ME
8 OTHER THAN SAY HUH. IT HURTS SHE CAN'T RESPOND TO ME IN
9 THE WAY I CAN RESPOND TO YOU. SO THESE PEOPLE HAVE TO BE
10 ADVOCATES FOR THEM AND SPEAKING ABOUT WHAT GOES ON WITH
11 THEM.

12 TO THE AQMD, AGAIN, IT'S A MATTER OF
13 RESPONSIBILITY AND ACCOUNTABILITY. IT MAY BE THAT YOU
14 HAVE NOT HEARD NUMEROUS COMPLAINTS, BUT I'M QUITE SURE
15 THOSE COMPLAINTS HAVE BEEN CONSOLIDATED ENOUGH TO WHERE
16 THERE'S A CONCERN BEING STRESSED. IT DOESN'T MATTER THE
17 NUMBER OF COMPLAINTS. IT'S THE FACT THAT A COMPLAINT HAS
18 BEEN ISSUED. AND PARTICULARLY FOR THIS SCHOOL, I KNOW OF
19 NUMEROUS ONES.

20 AGAIN, WE'RE SPEAKING ABOUT KIDS THAT CANNOT
21 VOICE OPINIONS THEMSELVES. WE'RE REPRESENTING PEOPLE WHO
22 CANNOT SPEAK THEMSELVES. WE'RE ADULTS HERE. IT'S TIME
23 FOR SOMEBODY TO STEP UP TO THE PLATE AND TAKE
24 RESPONSIBILITY AND TAKE ACTION. BECAUSE THE YOUNG LADY
25 EARLIER HAS SAID THERE'S BEEN TOO MANY DEATHS. AND THESE

1 ARE NOT ADULTS. THESE ARE CHILDREN'S DEATH. THAT'S NOT
2 ACCEPTABLE.

3 MR. NAZEMI: THANK YOU. I AGREE WITH YOU
4 REGARDING THE SCHOOL CHILDREN. OUR POLICY IS NOT THAT
5 EVERY CHILD -- ANY NUMBER OF CHILDREN HAVE TO COMPLAIN.
6 WE ALWAYS RELY ON THEIR TEACHERS OR SCHOOL PRINCIPAL TO
7 MAKE THAT CALL TO US FOR THE CHILDREN.

8 THE LAST CARD I HAVE IS TIMOTHY GRABIEL. I'M
9 SORRY, YOU'RE THE LAST PERSON. THANKS FOR HOLDING ON.

10 MR. GRABIEL: I WILL BE REALLY QUICK. MY NAME A
11 TIMOTHY GRABIEL, NATURAL RESOURCE DEFENSE COUNCIL
12 ATTORNEY. WE'RE AN ENVIRONMENTAL AGENCY. I'VE LOOKED AT
13 THE PERMIT, AND I'VE GOT TO SAY THAT I WHOLLY DEFICIENT
14 AGAINST REGULATORY AND STATUTORY STANDARDS. AND I'M
15 HAPPY TO SEE THAT IT WAS DENIED.

16 I'M NOT QUITE SURE HOW THE NEW PERMIT'S GOING TO
17 LOOK THAT THEY'RE GOING TO PRODUCE, BUT IT'S GOING TO
18 HAVE TO UNDERGO SUBSTANTIAL CHANGES IN THE MANUFACTURING
19 PROCESS FOR IT TO COMPLY WITH RULE ONE 1175 AND CLEAN AIR
20 ACT. BUT THOSE ARE MY STATEMENTS.

21 AND IN LISTENING TO THE COMMENTS TODAY, I
22 REMEMBERED SOMETHING MY FATHER WOULD ALWAYS SAY. YOU
23 DON'T JUDGE A MAN HOW HE FALLS, BUT HOW HE GETS BACK UP.
24 BUT THEY HAVEN'T BEEN PICKING THEMSELVES BACK UP. THIS
25 HAS BEEN A PROBLEM IN THIS COMMUNITY FOR YEARS. WE NEED

1 EVERYBODY'S VOICES. THEY'RE AWARE OF THE PROBLEMS, BUTH
2 HAVEN'T BEEN PICKING THEMSELVES BACK UP. LIKE I SAID,
3 THERE'S GOING TO HAVE TO BE SUBSTANTIAL CHANGES. THANK
4 YOU FOR WAITING AND KEEPING UP THE GOOD FIGHT.

5 MS. CASH: WE'RE GOING TO KEEP IT UP.

6 MR. NAZEMI: THANK YOU. AND MR. GRABIEL. IS
7 YOUR COMMENT REGARDING THE DEFICIENCY CONSISTENT WITH
8 WHAT MS. MESZAROS PRESENTED TO US OR WERE THERE OTHER
9 THINGS?

10 MR. GRABIEL: CONSISTENT WITH THAT.

11 MR. NAZEMI: I JUST WANT TO MAKE SURE I GET ALL
12 THE CONCERNS THAT YOU HAVE.

13 I HAVE USED UP ALL THE CARDS HERE. IS THERE
14 ANYBODY ELSE THAT DIDN'T SPEAK OR DID SPEAK THAT WANTS TO
15 COME UP?

16 PLEASE STATE YOUR NAME AGAIN.

17 MR. JOHNSON: MY NAME IS LEROY JOHNSON, AND I'M
18 THE HUSBAND OF LAVERNE. SHE MADE THE STATEMENT FOR ME,
19 BUT I WOULD LIKE TO ADD IS THERE ANY WAY THAT FALCON FOAM
20 COULD BE RESPONSIBLE AND ACCOUNTABLE FOR PROVIDING CLEAN
21 AIR PURIFIERS FOR EVERY HOME IN THIS COMMUNITY IF THE
22 NEED BE OR REQUIRED BY A MEDICAL DOCTOR OR BY JUST THE
23 NEED ITSELF? AND ESPECIALLY FOR THE TWO SCHOOLS BANNEKER
24 AND AVALON GARDENS, THEY NEED SOME TYPE OF CLEAN AIR
25 PURIFIER IN THEIR SYSTEM TO TRY TO GET SOME OF THIS

1 RESIDUE OUT OF THEIR AIRSPACE. AND THAT'S THE COMMENT
2 THAT I WANTED TO MAKE. THANK YOU VERY MUCH I APPRECIATE
3 IT. ANY OTHER COMMENT OR --

4 MR. COLEMAN: WITH REGARD TO THE LAST COMMENT,
5 OBVIOUSLY THAT'S ANOTHER DECISION THAT'S OUTSIDE OF
6 ROGER'S AUTHORITY TO MAKE. BUT WE WILL TAKE THAT UP WITH
7 THE ATLAS ROOFING PEOPLE.

8 MS. CASH: I WOULD LIKE TO SAY THANK YOU FOR
9 THAT RESPONSE. I WOULD LIKE TO ADD THAT THAT IS JUST A
10 BAND-AID ON THE PROBLEM. WE WANT THE PROBLEM FIXED.
11 THAT MIGHT BE A TEMPORARY SOLUTION, BUT WE WOULD LIKE THE
12 PROBLEM FIXED.

13 MR. COLEMAN: I UNDERSTAND YOUR POSITION.

14 MR. NAZEMI: THANK YOU VERY MUCH.

15 MS. CASH: WAIT A MINUTE. SO HOW DO WE GET A
16 COPY OF WHAT HAPPENED HERE TODAY?

17 MR. NAZEMI: THANK YOU. I WAS GOING TO MAKE
18 SOME CLOSING REMARKS. BEFORE I DO THAT, I JUST WANT TO
19 THANK THE COURT RECORDER. BECAUSE SHE SAT ALMOST THREE
20 AND A HALF HOURS AND DIDN'T TAKE A BREAK. SO THANK YOU
21 FOR HANGING IN THERE.

22 AT THIS POINT I WOULD LIKE TO OFFICIALLY CLOSE
23 THE PUBLIC HEARING, BUT I DO WANT TO MAKE A COUPLE
24 COMMENTS. AS I INDICATED EARLIER, THE SOUTH COAST AQMD
25 IS GOING TO PROVIDE INDIVIDUALS WHO WERE HERE WITH SOME

1 NEW NOTICES. WE'LL GO BACK AND LOOK AT ALL THE NAMES
2 WITH RESPECT TO THIS MEETING AND PROVIDE ANOTHER
3 OPPORTUNITY FOR PUBLIC COMMENT AND MAKE THE PERMIT
4 AVAILABLE FOR INDIVIDUALS INTERESTED TO VIEW THE PERMIT.
5 AS FAR AS HOW YOU CAN OBTAIN A COPY OF THE
6 PROCEEDING, THE RECORD OF WHAT CONVERSATION TOOK PLACE,
7 WE WILL HAVE THAT TRANSCRIBED. AND ANYBODY WHO IS
8 INTERESTED TO OBTAIN A COPY OF IT, WE WILL MAKE IT
9 AVAILABLE TO YOU. IF YOU CAN JUST DO A FAVOR ON YOUR WAY
10 OUT NEXT TO YOUR NAME THAT YOU SIGNED ON THE SIGN-UP
11 SHEET -- WHERE IS NATALIA? SHE'S GONE. DID SHE TAKE THE
12 LIST WITH HER?
13 I'M GOING TO PUT A PAPER OUT IF YOU DIDN'T SIGN
14 UP. ALL I NEED IS YOUR NAME AND ADDRESS. SO THOSE OF
15 YOU WHO WOULD LIKE TO GET A COPY OF THE TRANSCRIPT, IF
16 YOU CAN JUST PUT YOUR NAME ON THAT PIECE OF PAPER, I WILL
17 MAKE SURE YOU GET A COPY.
18 MS. JOHNSON: CAN YOU POST A TRANSCRIPT ON YOUR
19 WEBSITE?
20 MR. NAZEMI: IT WILL BE A PDF-TYPE DOCUMENT. IS
21 THAT GOING TO TAKE CARE OF IT OR DO YOU WANT TO GET A
22 HARD COPY TOO? WE'LL LEAVE A PIECE OF PAPER FOR YOU TO
23 SIGN UP TO GET A TRANSCRIPT.
24 MS. SUWOL: THE QUESTIONS THAT HAVE BEEN ASKED
25 TODAY, IF THEY WERE NOT ABLE TO HAVE TIME TO RESPOND,

1 WILL THOSE BE RESPONDED TO IN WRITING.

2 MS. NAZEMI: THE QUESTION WAS, FOR THE COURT
3 REPORTER, WILL THERE BE AN OFFICIAL RESPONSE TO THE
4 COMMENTS THAT WERE MADE TODAY? AND I WILL COMMIT TO
5 PROVIDE RESPONSES TO COMMENTS. I MAY NOT HAVE IT FOR
6 EVERY SINGLE QUESTION OR EVERY SINGLE COMMENTS AND A LOT
7 OF IT WOULD BE REDUNDANT. AND SOME THINGS WE HAVE NO
8 AUTHORITY OR JURISDICTION OVER, BUT I WILL DO MY BEST TO
9 MAKE A GENERAL RESPONSE TO ALL THE COMMENTS THAT WERE
10 PROVIDED TODAY AND MAYBE PUT THAT ALONG WITH THE COPY OF
11 THE TRANSCRIPT SO YOU CAN ALSO HAVE ACCESS TO THAT.

12 ANYBODY ELSE?

13 MS. CASH: TO SUM IT UP, YOU'RE NOT GOING TO
14 PERMIT -- WHAT DID YOU SAY? YOU'RE NOT GOING TO PERMIT
15 -- YOU WILL NOT -- AS A RESULT OF ALL THE COMMENTS THAT
16 HAPPENED THAT YOU'RE NOT GOING TO TAKE AN ACTION ON THE
17 PERMIT, ISSUING THE PERMIT?

18 MR. NAZEMI: WE'RE GOING TO OPEN IT UP FOR A
19 PUBLIC COMMENT PROCESS. AND TODAY'S WILL NOT BE THE LAST
20 DAY OF PUBLIC COMMENTS.

21 MR. LOFTENIUS: SO HOW ARE YOU GOING TO MAKE A
22 NOTIFICATION FOR INDIVIDUALS WHO SIGNED THE SHEET HERE
23 WITH THEIR INDIVIDUAL HOME ADDRESS?

24 MR. NAZEMI: INFORMATION WILL BE MAILED TO THEIR
25 ADDRESS, AND THEN IT WILL ALSO BE PUT IN A NEWSPAPER AND

1 WE'LL NOTIFY THE SCHOOLS IN THE PROXIMITY OF THE SCHOOL.

2 MS. THOMPSON: SO YOU WILL BE ABLE TO SEND

3 INFORMATION OFF OF THE CARDS THAT HAS AN ADDRESS ON IT?

4 YOU'RE ALSO SENDING US INFORMATION. THANK YOU.

5 MR. NAZEMI: WE WILL MAKE SURE THAT ANYBODY WHO

6 EITHER SIGNED THE SIGN-UP SHEET OR FILLED OUT THE BLUE

7 CARD WILL GET THAT INFORMATION, YES.

8 MR. LIMBRICK: WHAT DOES IT MEAN WHEN THEY DON'T

9 GET THEIR PERMIT? DO THEY STILL GET TO OPERATE OR HOW

10 DOES THAT WORK?

11 MR. NAZEMI: THEY'RE PRESENTLY ON VARIANCE AND

12 THAT VARIANCE IS BACK UP FOR HEARING BOARD CONSIDERATION

13 IN DECEMBER, SOME TIME IN DECEMBER OF THIS YEAR. SO

14 DEPENDING ON WHAT THE HEARING BOARD DECIDES WHAT TO DO

15 WITH THE VARIANCE, IF THE VARIANCE IS DENIED, THEN THE

16 DISTRICT WILL TAKE ENFORCEMENT ACTION.

17 MS. LIMBRICK: ARE THEY STILL GOING TO BE IN

18 BUSINESS?

19 MR. NAZEMI: YES. AS LONG AS THEY HAVE THE

20 VARIANCE, THEY WILL BE IN BUSINESS.

21 MS. CASH: SO THE HEARING THAT YOU'RE TALKING

22 ABOUT IN DECEMBER, WHO IS PART OF THAT HEARING?

23 MR. NAZEMI: THE VARIANCE ON THAT HEARING

24 GRANTED EXPIRES ON DECEMBER 9TH OR 11TH, THE SECOND WEEK

25 OF DECEMBER. AND PRIOR TO THAT DATE, THE COMPANY, IF

1 THEY WANT TO CONTINUE TO OPERATE UNDER THE VARIANCE,
2 THEY'D HAVE TO GO TO THE HEARING BOARD AND REQUEST EITHER
3 AN EXTENSION OR NEW VARIANCE. AND I DON'T KNOW THE DATE.

4 MS. CASH: IT WOULD BE PRIOR --

5 MR. COLEMAN: A HEARING IS SCHEDULED FOR
6 DECEMBER 9TH.

7 MR. NAZEMI: A HEARING IS SCHEDULED AT THE
8 HEARING BOARD OFFICE, WHICH IS OUT AT AQMD HEADQUARTERS
9 IN DIAMOND BAR. AND OUR ADDRESS IS ON TOP OF THE
10 PUBLICATION THAT WE HAVE ON DECEMBER 9TH.

11 MR. LYOU: IS THAT PARTICULAR HEARING AVAILABLE
12 TO THE PUBLIC.

13 MR. NAZEMI: IT'S A PUBLIC HEARING.

14 MS. LIMBRICK: HAS A VARIANCE EVER BEEN DENIED?

15 MR. NAZEMI: MANY TIMES.

16 MS. LIMBRICK: IS THERE ANYTHING WE CAN DO TO
17 GET THE VARIANCE DENIED?

18 MR. NAZEMI: I CANNOT ADVISE ON WHETHER YOU CAN
19 GET THE VARIANCE DENIED OR NOT. THE HEARING BOARD IS A
20 SEPARATE ENTITY. THEY WILL ALLOW FOR PUBLIC COMMENT IF
21 YOU'RE INTERESTED TO MAKE ANY. BUT THE DECISION IS NOT
22 AN AQMD DECISION. IT'S THE HEARING BOARD'S DECISION.

23 MS. CASH: THE HEARING BOARD IS WHAT -- WHERE IS
24 THAT? IS THAT AT THE AQMD?

25 MR. NAZEMI: THEIR OFFICE WHERE THEY HOLD THE

1 MEETING IS AT 21865 COPELY DRIVE IN DIAMOND BAR.

2 MR. LYOU: THE HEARING BOARD HAS ON OCCASION HAD

3 THE HEARINGS OUTSIDE OF DIAMOND BAR, RIGHT?

4 MR. NAZEMI: YES.

5 MR. LYOU: SO IT'S POSSIBLE TO HAVE IT IN THIS

6 COMMUNITY, RIGHT?

7 MR. NAZEMI: IF THE COMMUNITY REQUESTS THAT.

8 MS. CASH: WE'RE GOING TO REQUEST IT. WE DON'T

9 WANT TO GO OUT THERE. THAT'S REALLY AN INCONVENIENCE FOR

10 US, A MAJOR INCONVENIENCE. AND THEN WHO WOULD WE

11 CONTACT?

12 MR. NAZEMI: YOU CONTACT THE CLERK OF THE BOARD.

13 MS. JOHNSON: SO YOU'RE NOT GOING TO CLOSE THE

14 PUBLIC COMMENT PERIOD, AND YOU'RE GOING TO DO A REDRAFT

15 OF THE PERMIT AND PUT A NEW PERMIT FOR COMMENT.

16 MR. NAZEMI: THERE WILL BE A NEW PROPOSED PERMIT

17 OUT FOR COMMENT.

18 MS. JOHNSON: DO YOU HAVE ANY KIND OF FEEL HOW

19 LONG IT WILL TAKE TO DO THAT NEW PERMIT?

20 MR. NAZEMI: I THINK WE NEED AT LEAST 30 DAYS TO

21 GO OVER ALL THE COMMENTS AND ADDRESS SOME OF THE ISSUES

22 THAT WERE RAISED TODAY. SO I CAN'T GIVE YOU AN EXACT

23 DATE. WITH THE HOLIDAYS COMING, IT'S ROUGH.

24 MS. SARNOFF: WHAT IS THE FORMAT OF THE HEARING

25 BOARD?

1 MR. NAZEMI: THE HEARING BOARD TYPICALLY HAS --
2 I SHOULD DEFER TO THE TWO ATTORNEYS. BUT THE HEARING
3 BOARD TYPICALLY HAS ONE OR MORE CASES ON THEIR CALENDAR.
4 THEY TYPICALLY START THEIR MEETING AT NINE IN MORNING AND
5 IT LASTS TYPICALLY UNTIL FOUR IN THE AFTERNOON, DEPENDING
6 ON HOW MANY CASES THEY HAVE AND HOW LONG EACH CASE IS.
7 SOMETIMES A CASE IS CONTINUED FOR MORE THAN ONE DAY.

8 THE FORMAT, AGAIN, IS -- I DON'T KNOW IF YOU'VE
9 BEEN TO COURT BEFORE OR NOT BEFORE, BUT THE COMPANY IS
10 REFERRED TO AS THE PETITIONER. THEY COME IN AND PRESENT
11 THEIR CASE. THE DISTRICT PRESENTS THEIR CASE. THE
12 HEARING BOARD MEMBERS, THE FIVE-MEMBER BOARD ASKS

13 QUESTIONS FROM THE COMPANY, FROM THE DISTRICT. THERE'S
14 AN OPPORTUNITY FOR PUBLIC COMMENT. AND AT THE END OF THE
15 MEETING, THEY'LL MAKE A MOTION. AND IF IT PASSES --
16 THEY'LL GO ONE WAY OR ANOTHER.

17 MS. SARNOFF: SO THE QUESTION WAS ASKED ABOUT
18 HOLDING IT HERE. AND IF IN FACT THERE IS A LOT OF PUBLIC
19 INTEREST, COULD THAT HEARING TAKE PLACE HERE RATHER THAN
20 IN DIAMOND BAR?

21 MR. NAZEMI: I UNDERSTAND THE QUESTION, AND I AM
22 NOT -- I'M NOT ABLE TO MAKE THAT DECISION. THAT'S A
23 DECISION THAT THE HEARING BOARD HAS TO MAKE, THE
24 FIVE-MEMBER BOARD. BUT IF YOU WOULD LIKE TO HOLD THE
25 MEETING HERE, YOU NEED TO LET THE HEARING BOARD KNOW

1 DIRECTLY BY CONTACTING THE CLERK OF THE BOARD. AND YOU
2 CAN GO TO WWW.AQMD.GOV AND CONTACT THE HEARING BOARD
3 CLERK AND MAKE A REQUEST. AND JOE LYOU SAID WE HAVE HELD
4 HEARINGS OUTSIDE OF THE HEARING BOARD FACILITY. I DO
5 WANT TO LET YOU KNOW IT IS NOT VERY COMMON BECAUSE THEY
6 HAVE -- EVERY YEAR THEY HAVE THOUSANDS OF CASES, AND I
7 KNOW ONLY A HANDFUL THAT HAVE BEEN OUTSIDE THE DIAMOND
8 BAR FACILITY. BUT THEY HAVE HELD IT OUTSIDE. SO IT'S UP
9 TO YOU.

10 OKAY. LET ME THANK EVERYBODY WHO CAME HERE. I
11 KNOW THIS IS SATURDAY. YOU HAVE OTHER THINGS THAT YOU
12 DO, SPEND TIME WITH YOUR FAMILY OR GO TO WORK AND DO
13 THINGS. I APPRECIATE THE TIME YOU TOOK TO COME TO THIS
14 MEETING. ALSO, I WANT TO THANK THE COMPANY FOR COMING
15 HERE AND PRESENTING THEIR SIDE OF THE STORY AND
16 RESPONDING TO SOME OF THE QUESTIONS. I WILL REEMPHASIZE
17 THAT 1-800-CUT-SMOG IS A WAY FOR US TO HEAR FROM YOU OR
18 YOUR COMMUNITY IF THERE ARE PROBLEMS. AND EVEN THOUGH I
19 UNDERSTAND THAT THERE HAS BEEN SOME CALLS THAT IT SOUNDS
20 LIKE WE DON'T HAVE RECORDS OF OR WE HAVEN'T RESPONDED TO,
21 I KNOW I THINK WE HAVE. BUT PLEASE, IF YOU HAVE A
22 COMPLAINT, DON'T WAIT UNTIL WE HAVE A MEETING LIKE THIS
23 TO COME AND TELL US. PLEASE TELL US AT THE TIME WHEN IT
24 HAPPENS SO WE CAN HAVE A MORE TIMELY RESPONSE.

25 AND THANK YOU ALL FOR COMING TO THIS MEETING.

1 AND THANKS FOR MS. MESZAROS FOR HER PRESENTATION. I HAVE
2 INFORM SAY THIS. I'M OFFICIALLY CLOSING THIS PUBLIC
3 HEARING.

4

5 (END OF PROCEEDING AT 1:55 P.M.)

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